

Shinwa Restaurant Workers Unite

Peter Lin

Say you're in a restaurant and you've received the bill. Double the tax and maybe add a little more if the service has been good. But wait. Have you ever wondered where your tip goes? Ever doubted if your waitress or waiter gets all of your tip? Well, at many Japanese restaurants, the management takes a percentage of the waitresses' and waiters' tips.

Since its opening three years ago, Shinwa Restaurant has taken from 17% to 45% of its workers' tips. The workers, a multi-ethnic Asian and Latino group of Koreans, Chinese, Japanese, Vietnamese, Hondurans, Bangladeshi, Mexicans and Malaysians, have been organizing for the past six months. They are fighting to keep 100% of their tips, to form a union that represents their interests, and to get their three years of back wages, conservatively estimated at \$100,000.

Jimmy Chow, one of the waiters who has been active in organizing the workers, asked, "Why should the management get a percentage of our tips when we work so hard to earn them?" New York State Labor Law apparently agrees with Mr. Chow:

*"No employer or his agent or an officer or agent of any corporation, or any other person shall demand or accept, directly or indirectly, any part of the gratuities, received by an employee, or retain any part of a gratuity or any charge purported to be a gratuity for an employee."*¹

SHINWA'S DOUBLE STANDARD

Shinwa management contends, and their records show, that the tips go to kitchen staff and busboys. Yet, the Mexican and Honduran busboys reportedly receive none of the tips doled out daily to the kitchen staff, money that should come from the management and not the waitresses and waiters. It is also disturbing that the white bartenders keep 100% of their tips even though they regularly serve food prepared by the kitchen staff.

Shinwa's racist policy extends beyond tip "privilege" to hiring practices. Prior to the restaurant's opening, the restaurant's managers told a Japanese American that they could only hire "Americans" as bartenders. "Great," Eddie Kochiyama said, "I am American, I'm Japanese American." Flustered, the

management offered Mr. Kochiyama a job mixing drinks in the kitchen, hidden away from the clientele. Mr. Kochiyama pressed for the original position but did not get it, despite his 9 years of bartending experience.

Shinwa's racial hierarchy deserves further attention. Top positions like the supervisors, chefs, hosts and hostesses are held by Japanese. Lower on the ladder are the waitresses and waiters which belong predominantly to non-Japanese Asians. Busboys and dishwashers, who are Latino, are on the bottom of the ladder and receive the least amount of money.

As a result of the workers' organizing, the management has stepped up its harassment. Just recently, six extra waiters were hired to take shifts away from the regular, pro-union workers. These new waiters were given dinner shifts, shifts previously assigned to workers with seniority. Working the dinner shift earns more tips than the lunch shift. Not only have the pro-union workers lost their shifts, but consequently, their wages are cut by as much as 30%. Many of the workers feel pressured to leave because of their activism. Britainny Choi, a part-time waitress, said, "(The management) told me that if I didn't like the restaurant policy, I should leave. But what they're doing is wrong."

EXPLOITATION OF IMMIGRANTS

A multi-ethnic Shinwa Workers Support Committee of clergy, lay, and other concerned New York citizens has formed in response to Shinwa's poor labor practices. However, the group also sees larger issues at stake. Milyoung Cho, program director at Committee Against Anti-Asian Violence, pointed to the issue of Asians exploiting their own as well as other people of color. Ms. Cho said, "What we have here is a large Japanese corporation bullying vulnerable Asian and Latino immigrants."

Historically, ethnic groups, such as Chinese and Korean, have used their immigrants as a source of cheap labor. Garment factory and restaurant owners found in their own people a compliant and seemingly endless supply of labor. When trouble fomented, owners called for racial unity and nationalistic pride. In 1982, Chinatown garment factory owners ruthlessly cut their workers' wages. In response, 10,000 garment workers marched to protest the injustice. The workers did not listen to their bosses' pleas for Chinese unity.

Xuan-thao Nguyen, a SWSC member, added, "Look, this is a class thing! The business sector is

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¹ Taken from the McKinney's New York Statute Labor Law, Section 196-D, 1991

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really squeezing the immigrants, especially the transnational corporations. But we as Asian Americans must take a stand."

Indeed, as 1.5, 2nd and 3rd generation Asian Americans, we have a responsibility to the recent immigrants because they face similar exploitative conditions as those of our parents or grandparents. While our parents probably urged us to go to college to avoid their economic plight, we cannot overlook the present injustices.

Economic injustices often lead to racism. As immigrants compete against each other for jobs, bosses and supervisors can lower their wages. As wages are depressed, white and African American workers feel pinched. In economic bad times, resentment turns to racist violence.

Also, within the past five years, the Asian businesses has hired Latinos for the grunt work of their operations. Walk around Chinatown and you'll see Latinos hauling boxes of produce into large trucks, selling fish, moving crates. Check out your neighborhood Korean grocery to see if they have a Mexican guarding the produce and selling the flowers.

If these conditions deteriorate, a Do the Right Thing scenario might occur. For a solution, we might look to the Shinwa workers. Even though they are multi-ethnic, the Shinwa workers have come together, a laudable feat in itself. They have provided common ground for us Asian Americans, Latinos, African Americans and others to fight against racism

HOW YOU CAN HELP

Please join the Shinwa Workers Support Committee in supporting the workers in their fight for fair labor practices. (1) Write a letter to Shinwa Restaurant Company President, Mr. Yasuo Shimizu, (Shinwa Restaurant, 645 Fifth Avenue, NYC 10022), protesting Shinwa's unfair and racist labor practices. (2) Attend Shinwa workers Support Committee meetings. Call 212-619-7979 for more information. (3) Tell your friends and family about the Shinwa workers' struggle for economic and racial justice. ☉

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For Old Times Sake (Continued from page 9)

hand, it took him a minute to fill my cup again. "Sake has been a part of Japan's culture since ancient times; it still plays a big role in Shinto belief. In Japanese households, tiny cups of sake are placed before family shrines on festival days. In fact, in Shinto wedding ceremonies, the couple exchange cups and drink sake to seal the marriage."

By this time we had gone through six bottles and my concentration was beginning to slip. I tried to slow down on the rice juice, but Toshiro kept encouraging me to hurry up by holding the bottle in a ready-to-pour position every thirty seconds. As we enjoyed the fragrant wine, he described the history of the beverage.

"In the old days, sake was reserved for nobles and priests," he intoned. "How long ago was that?" I asked. "The tenth and ninth centuries," he replied. He glanced at my cup and said, "Hey Charlie-San, why are you drinking so slowly?, come on, drink up Banzai!" Banzai?, boy was he getting relaxed. "The best temperature to drink sake is about 100-122 degrees Fahrenheit," he added. "Does that make it stronger?" I asked while suppressing a hiccup. "No, no," he answered, waving his hands as if offended by the question, "the only thing warming does is release the bouquet."

He closed his eyes and began to reminisce, "There are those who prefer sake chilled or over rice.

I remember when I was a boy in Japan, my family would go on picnics and my uncles would drink cold sake from small square cedarwood boxes called masuzake." As he talked he poured me another cup and I lost all feeling in my toes.

It was definitely time for me to leave. The problem was all I could get from my legs was a busy signal. With great effort I was able to get back to Queens. He seemed genuinely sad and complained that we still had time for one more. We argued over who was going to pay the bill. He won by telling Fusako-San not to hand it to me.

As we stumbled out of the door, the staff called out a cheery goodbye. I let the cool evening air fill my lungs, hoping it would clear my head. It didn't. I turned to Toshiro and slurred a confession, "Toshiro-San, I'm too hammered to drive home". He put his arm around my shoulders and reminded me, "Charlie-San, you don't know how to drive." Good old Tosh, he knows me better than I know myself.

I hailed a cab, and before I got in, we gave each other those rough bear hugs that men do when they've been drinking. I promised several times that we would get together again soon. As the cab sped off to Queens, I munched on some sembei I found in my shirt pocket and sang the first verse to "Your Cheating Heart." ☉