Unequal Opportunity: Uncovering Discrimination in Hiring at Chipotle Mexican Grill

FAST FOOD UNION 32BJ SEIU

SERVING UP JUSTICE

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Preface

As this report is released, we approach two historic anniversaries for movements for economic and racial justice. Ten years ago the first U.S. fast food workers went on strike, marking the start of the national Fight for $15 movement. This May is also the two-year anniversary of Black Lives Matter protests that rocked the country following the murder of George Floyd, in what may have been the largest political mobilization in U.S. history. During this time, many companies expressed support for racial justice and the Black Lives Matter movement. However, many of these same employers were behind major pushes to block efforts that would directly benefit their Black workforces, such as increasing the minimum wage to $15 an hour and championing union rights for employees.

During the George Floyd protests, Chipotle Mexican Grill issued one such statement in support of racial justice. "[W]e are standing in solidarity with the Black community," they said. "The racial and social injustice is unacceptable and we want to do our part to create an equal society."[i] Today, Black cooks and servers at Chipotle are speaking out about the gap between these words and what they describe as a lack of diversity within store management. Chipotle's own data from 2020 show that while a full 19% of hourly restaurant workers are Black or African-American, that percentage falls to only 11% for salaried store managers, 6% for senior field managers and corporate staff, and zero members of Chipotle's executive leadership team.[ii] The research featured in this report digs into this reality and shows Chipotle's recruiter responses significantly favor white applicants over Black applicants for open store management positions.

In the fast food industry, the roles of General Manager and Assistant General Manager (sometimes known at Chipotle as "Apprentice" General Manager) are the first rungs in the operations management ladder. Accordingly, these positions ought to provide a pathway to career advancement and equal economic opportunity for Black workers. That is why Fast Food Union sought the assistance of the Equal Rights Center, to find out whether Chipotle was truly living up to its promise to "do its part to create an equal society." The results of the Equal Rights Center's investigation suggest that Chipotle's hiring practices disproportionately deny management opportunities to qualified Black applicants.

Chipotle can and should take immediate steps to address any discrimination in its hiring and to close its employment gap – specifically, the 8 percentage point gap in Black employment between hourly restaurant workers and salaried store managers. While Chipotle recently announced its 2022 Environmental, Social and Governance goals, which included diversity goals for promotions to office-based management positions, the company's press release did not include a commitment to increase diversity among store managers, the crucial first rung in the career ladder. [iii] Moreover, to address structural issues in Chipotle's recruitment that may lead to anti-Black discrimination, Chipotle must set goals for the promotion of Black employees to management positions, in addition to its broad diversity goals.

Shareholders also have a role to play. This year, shareholders have put forward two proposals that would help to address the evidence of discrimination found in the Equal Rights Center's study (sadly, the Chipotle Board of Directors has opposed both proposals). [iv] One proposal

demands Chipotle commission an internal racial equity audit to analyze the company's diversity, equity and inclusion (DEI). The other asks Chipotle to report to shareholders on the outcomes of the company's DEI efforts by publishing data on workforce composition, retention and promotion rates of employees by gender, race and ethnicity. Chipotle investors who are committed to promoting racial equity, and who are concerned by the results of this investigation, should vote "yes" on both proposals at the company's May 2022 annual meeting.

Chipotle workers are also taking on the company to demand change. While top-down measures from shareholders and executives can do much to curb potentially discriminatory practices, unionized workers with the ability to enforce a collective bargaining agreement from the bottom-up can do much more. Chipotle employees are now coming together to form a Fast Food Union to win fair wages, better working conditions and dignity on the job.

About the Equal Rights Center

The Equal Rights Center is a civil rights organization that identifies and seeks to eliminate unlawful and unfair discrimination in housing, employment, and public accommodations in its home community of Greater Washington, D.C. and nationwide. The ERC's core strategy for identifying unlawful and unfair discrimination is civil rights testing.

Strategic Initiatives Manager, Elias Cohn, and Director of Civil Rights Testing, Sara Surface, constituted the ERC's project team. The ERC consulted with JJ Naddeo, PhD Candidate in Economics at Georgetown University, on project methodology, application submission, and data analysis, as well as Dr. Marc Bendick Jr, PhD. on overall project design. Special thanks to project assistant and contractor Maranda Raskin.

About Fast Food Union

Fast Food Union is New York City fast food workers organizing with 32BJ SEIU to make fast food jobs good, family-sustaining jobs with stable hours and a union voice. In 2020, NYC fast food workers joined forces with Black Lives Matter in the Strike for Black Lives. Fast Food Union remains committed to bringing racial and economic justice to the fast food industry.

Executive Summary

At the request of researchers at Service Employees International Union, Local 32BJ, the Equal Rights Center conducted a matched pair "correspondence testing" investigation designed to assess potential racial disparities in hiring practices at Chipotle Mexican Grill. Over the course of about three weeks, the ERC's investigators submitted 624 job applications for open General Manager, Assistant General Manager, and Apprentice General Manager positions around the U.S. on behalf of pairs of fictitious job applicants. Each pair of fictitious applicants included one white applicant and a similarly situated Black applicant, indicated by racially distinctive first names and surnames. The ERC documented Chipotle recruiter responses to these applications and found that recruiters contacted white applicants concerning significantly more job opportunities compared to similarly situated Black applicants.

Introduction

At the request of SEIU 32BJ, the Equal Rights Center (ERC) conducted an investigation into Chipotle Mexican Grill using matched pair "correspondence testing" to uncover any racial disparities in hiring practices. Correspondence testing, sometimes referred to as "resume testing", is an investigative technique in which investigators send pairs of job applications to potential employers from fictitious job applicants. Applications and resumes are carefully constructed so paired job applicants appear to be equally qualified and similarly situated and differ from each other only in respect to the particular variable under investigation–which may include factors such as race, sex, color, religion, disability, or familial status (See, for example: Kline et al, 2021[v] Bertrand and Duo, 2017[vi]; Baert, 2018[vii]; Quillian et al., 2017[viii]). The employers' responses to these job applications are then observed and documented in order to detect potential hiring disparities based on these factors.

From February 21st, 2022 to March 10th, 2022, the ERC sent pairs of job applications for open General Manager and Apprentice/Assistant General Manager positions at Chipotle restaurant locations around the U.S. Each pair of applications included one application from a fictitious Black male and one from a similarly situated fictitious white male applicant. The ERC then monitored the email accounts and phone numbers assigned to each fictitious job applicant for responses from hiring managers or recruiters.

The results of the ERC's investigation suggest that racial disparities in Chipotle's hiring practices disproportionately denied a significant number of job opportunities to Black applicants in several regions of the U.S.

Methods

Building Resumes

The ERC built profiles and resumes of fictitious job applicants who would appear well-qualified for the jobs of General Manager and Apprentice/Assistant General Manager[ix] at Chipotle restaurants. The ERC created resumes based on current Chipotle employee resumes, evaluating features such as average and median years of work experience, management experience and experience at their current management level as well as educational level, skills and certifications, previous job experience and approximate age. The ERC built 12 distinct profiles and resume templates. Later, the ERC randomly assigned the resume templates to fictitious applicants, ensuring that none of the applicants used the same template as their matched pair applicant.

Weighting Resumes

Once the ERC randomly assigned a template to each of the applicants, the ERC made resumes of the Black applicants slightly stronger than those resumes of the white applicants to ensure that white applicant resumes were never objectively better qualified than their Black counterparts. For Black applicants, the ERC included one additional year of experience at their current management level, added an award for work performance at their most recent job, and added a food protection management or food handler certification. Appendix B shows the general features of resumes used for the two different positions.

Signaling Race

The ERC employed a system to signal the race of each applicant. As done by several previous correspondence studies,[x] the ERC used racially distinctive names to signal to employers that each applicant was either white or Black. To do this, the ERC borrowed a list of racially distinctive first names and surnames from Kline et al. 2021, a large-scale (n= 83,000) matched pair correspondence investigation published by the National Bureau of Economic Research (NBER).[xi] Unlike Kline et al., however, the ERC only used names that were both racially distinctive and commonly given to males.[xii] Appendix B includes the full list of first names and surnames used for this investigation.

The ERC used Kline's lists of first names and surnames to randomly generate pairs of full names–each consisting of one racially distinctive white full name and one racially distinctive Black full name.[xiii]

Setting Up Accounts

The ERC assigned a functional email address and phone number to each profile and tracked all contacts to those accounts. The ERC used the Chipotle website to identify states where General Manager and Assistant/Apprentice General Manager positions were open. In 37 states, the ERC set up at least one pair of accounts: one account for an Black applicant and one for a white applicant.

Submitting Applications

Project Consultant, JJ Naddeo, built a virtual "bot" to submit applications. On assigned days, the bot signed into a set of Chipotle accounts, checked for available jobs in the appropriate position, applied for all open appropriate jobs

through the Chipotle website, and recorded application submission data.

The ERC ran the bot on seven separate days between February 21st and March 10th, 2022. The ERC randomly assigned application days so that within each pair, the bot sometimes submitted the Black applicant's application first and sometimes submitted the white applicant's application first. To increase the chances that both members of a pair would submit applications for the same jobs before the jobs became unavailable, the bot always submitted applications for both members of a pair within 72 hours of one another. The ERC monitored applicant accounts and tracked contacts over four weeks in response to applications. The ERC then removed auto responses, rejection letters, junk mail, and wrong number dials to create a final data set. The ERC also removed applications for jobs that had been posted for more than two weeks.

Analysis & Results

The basis of the ERC's analysis is a comparison between the callback rates of white applicants and their matched Black applicants. For example, applicants Antwan Braxton (Black) and Neil Klein (white) applied to the same 12 jobs in Missouri between February 21st, 2021 and February 23rd, 2022. Both applicants listed addresses from the same area of Missouri with the same ZIP Code. Antwan Braxton had one more year of experience as a General Manager compared to Neil Klein as well as a ServSafe Food Protection Manager Certificate and a Manager of the Quarter Award at his most recent job, both of which Neil lacked. Antwan Braxton did not receive any requests for an interview or any other callbacks while Neil Klein received three callbacks from recruiters, including one email, one text message, and one voicemail.

The ERC submitted 624 total applications (312 pairs); 416 applications for General Manager positions and 208 applications for Assistant/Apprentice General Manager positions. The ERC defined a "callback" as any attempt by a hiring manager or recruiter to contact an applicant to encourage them to take an additional step in the hiring process and/or invite them to an interview. "Callbacks" included voicemails, text messages, and emails. Overall, applications for General Manager positions received a 58% callback rate, while applications for Assistant/Apprentice General Manager positions received a 25% callback rate.

The number of applications varied considerably by region. Because more jobs were available in the South and Midwest regions, submissions in these regions account for more than half of the total application submissions. The relative scarcity of available jobs in the West resulted in a very small number

of submissions and callbacks in this region. Appendix C shows a complete breakdown of submissions, callbacks, and callback rates.

Overall Results

The overall results showed, when controlling for other factors, applicants with racially distinctive white names received callbacks for job openings at a significantly higher rate than did applicants with racially distinctive Black names for both General manager and Assistant/Apprentice General Manager positions.
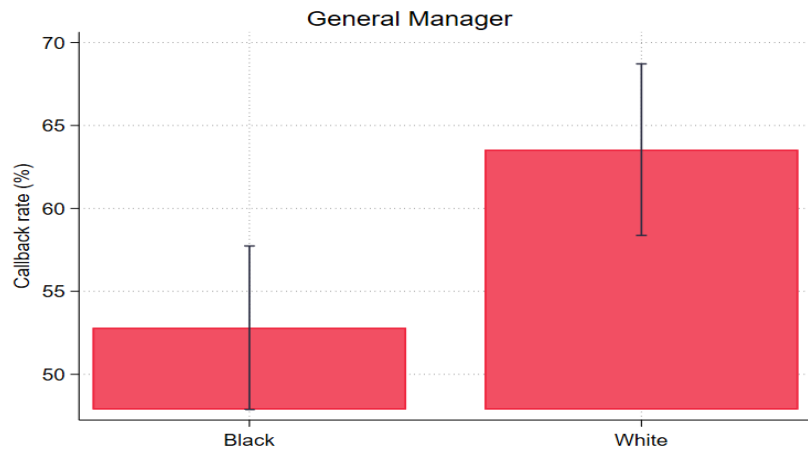

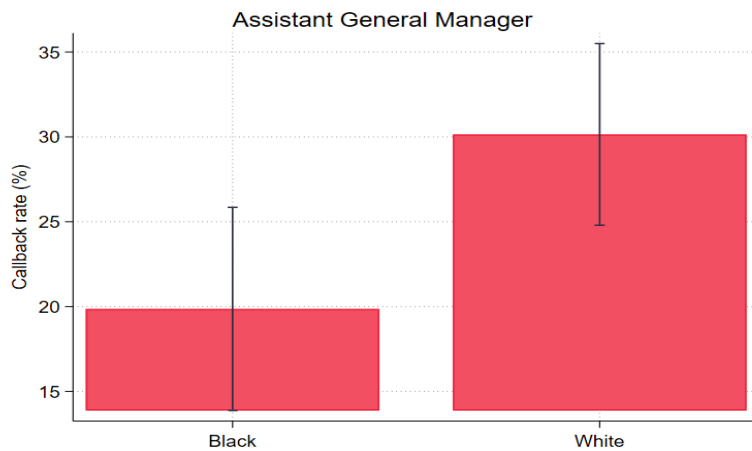Figure 1: Callback rate for General Manager applications

Figure 2: Callback rate for Assistant/Apprentice General Manager applications

For each linear probability model the ERC also calculated the average predicted probability of a callback, holding resume and group fixed effects constant at their means. Confidence intervals (error bars) are calculated using standard errors that are robust to heteroskedasticity. As Figure 1 shows, white applicants received callbacks for 64%(±3%) of the General Manager jobs they applied for, Black applicants received callbacks for only 53%(±3%) of jobs they applied for. Figure 2 shows that, though the overall callback rate for Assistant/Apprentice General Manager positions was lower, white applicants were more likely to receive a callback (30%±3%) vs similar Black applicants (20%±3%). Both effects are both economically significant as well as statistically significant at the 99% level for General Managers and 95% level for Assistant/Apprentice General Managers.

Heterogeneous Effects

The ERC broke down the results into four regions–Northeast, South, Midwest, and West–to evaluate whether racial disparities were more prevalent in certain areas of the U.S. To sort states into regions the ERC used the Census' definitions found here[xiv], with a minor adjustment whereby the ERC moved Missouri from the Midwest to the South and removed Delaware and Maryland from the South and labeled them as Northeast.[xv] The ERC used a similar model to that shown in Equation 1 (See Appendix D) but interacted group with region to obtain estimates of racial disparities by region.

The regional breakdown in Figure 3 shows that overall white applicants received callbacks for more job openings than did their Black counterparts in the South, Midwest, and Northeast regions. Black applicants for General Manager positions in the West region received callbacks for more job openings than did their white counterparts, however because of the substantially lower number of applications the results are noisy and omitted from the manager type breakdown.
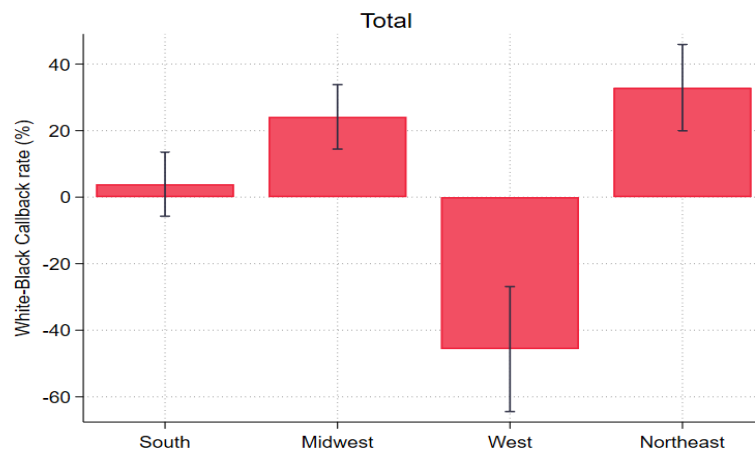

Figure 3: Overall regional breakdown

Figures 4 and 5 break down regional data by job position. This analysis shows that the overall regional pattern continues, with the exception of the South for Assistant/Apprentice General Managers and General Managers in the Midwest.
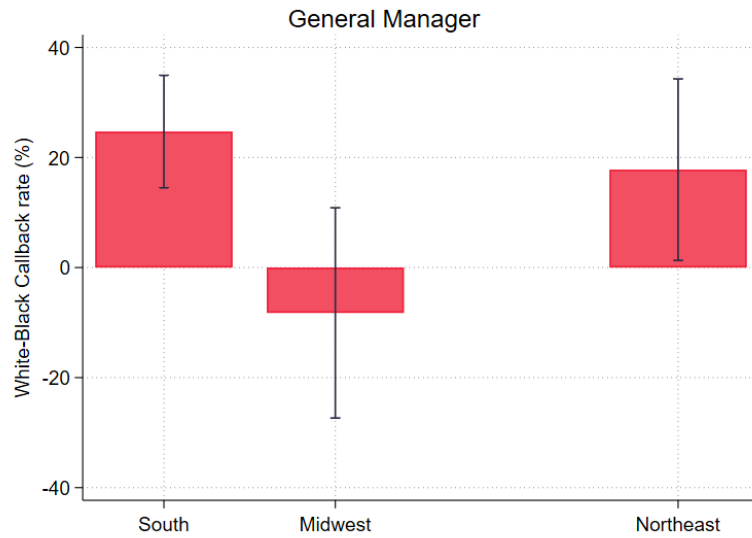

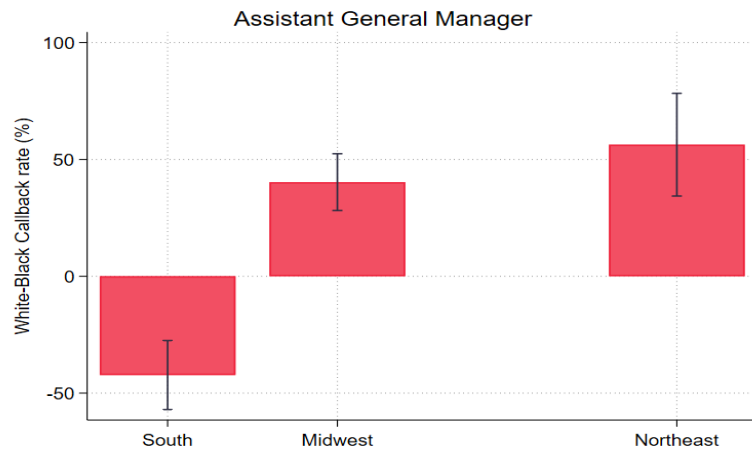*Figure 4: General Manager White-Black Callback Rate by Region*

Figure 5: Assistant/Apprentice General Manager White-Black Callback Rate by Region

Additional Analysis

The ERC also collected data on how many Chipotle locations existed within each state. Appendix E contains figures showing that the states where the ERC was able to submit more applications correlated with the states that have more locations, with the only outlier being California. The ERC takes this as suggestive evidence that the current report is representative of not only the current but also future job opening landscape.

In some instances, the ERC was able to identify the specific recruiters who made "callbacks" to applicants. By looking at the states where testers received a callback

 from these individual recruiters, the ERC was able to identify the "territory" of some of the recruiters and infer which applications they were responsible for evaluating. Appendix F contains an analysis that suggests that some recruiters exhibited potential racial preferences in their callback behavior and how these potential preferences correlate with the race of the recruiter. The ERC wishes to emphasize that this analysis is limited because there were many callbacks for which the ERC was unable to identify the race of the specific recruiter.

Limitations

The ERC's investigation was subject to several limitations which should be considered in the final analysis. The short timeframe allotted for this project decreased the specificity of the data that could be collected. In order to cover all available job openings within a limited time frame, the ERC submitted applications for multiple jobs within a state from a single pair of job applicants. In some cases, it was not possible to map a callback to a specific restaurant location. Practically, this meant that states in which many positions

were available affected the ERC's overall results more heavily than states in which fewer positions were available. Racial disparities in the results may be amplified by instances in which one recruiter made a decision affecting a single job applicant who had applied for many jobs.

The ERC suspects that an ideal study design, in which each pair of applicants would apply for only one job, might reduce the overall racial disparities in the data. Moreover, this design would provide a much more granular view of where potential discrimination is occurring, indicate whether recruiters effectively "steer" applicants to different jobs based and race, and suggest much more precise remedies to address these potential issues.

A correspondence investigation can only detect potential discrimination in a very specific, albeit important, step of the hiring process: the step during which recruiters evaluate applications and make initial "callbacks." Racial preferences or biases may manifest very differently at later stages in the hiring process. The ERC's investigation only included applicants applying for jobs at the management level who had never previously worked at Chipotle. The results do not necessarily say anything about Chipotle's internal hiring or promotion practices through which many employees reach management levels.

Conclusion

The ERC's results suggest that Chipotle's hiring practices disproportionately deny management opportunities to qualified Black applicants. The ERC found this trend in the overall data for both General Manager and Assistant/Apprentice General Manager positions. Evidence for heterogeneous effects is "noisier" because of smaller sample sizes, but data suggest that the overall racial disparities were mostly accounted for by preferential treatment for white General Manager job applicants in the South and Northeast regions as well as preference for white Assistant/Apprentice General Manager positions in the Midwest and Northeast regions. The information the ERC was able to gather about recruiters is incomplete. However, the limited data the ERC were able to collect suggest that potential preference for white job applicants may be more common among white recruiters as compared to Black recruiters who seemed to exhibit virtually no racial preferences and Latino/a recruiters who appeared exhibit a preference for Black job applicants. Despite the limitations of the data discussed above, the ERC believes this analysis is cause for concern.

Appendix

Appendix A: Resume Features

Tables 1 and 2 show the general qualifications included in resumes for each type of applicant:

Qualification/Feature	Race of Applicant: Black	Race of Applicant: White
Years of Work Experience	13	13
*Years of GM Experience	6	5
Education Level	BA/BBA	BA/BBA
Approximate Age	32	32
*Certifications	ServSafe Food Protection Manager	None
*Professional Award Listed	Yes	No

Table 1: General Manager resume characteristics
Indicates factors weighted in favor of Black applicants

Qualification/Feature	Race of Applicant: Black	Race of Applicant: White
Years of Work Experience	8	8
*Years of GM Experience	2	1
Education Level	BA/BBA	BA/BBA
Approximate Age	25	25
*Certifications	ServSafe Food Protection Manager	None
*Professional Award Listed	Yes	No

Table 2: Assistant/Apprentice General Manager resume characteristics
Indicates factors weighted in favor of Black applicants

Appendix B: Racially Distinctive First Names & Surnames

Black First Names		White First Names	
Kareem	Jamal	Geoffrey	Matthew
Reginald	Roderick	Brett	Chad
Antwan	Donnell	Jason	Bradley
Terrell	Marquis	Nathan	Greg
Leroy	Terrance	Jay	Jeremy
Jermaine	Tremayne	Neil	Joshua
Hakim	Lamar	Brad	Todd
Lamont	Darnell	Jacob	Brendan
Rasheed	Maurice	Scott	Adam
Tyrone		Justin	

Table 3: Racially Distinctive Black and White first names taken from Kline, et al. 2021

Black Surnames		White Surnames	
Myles	Alston	Klein	Hostetler
Chatman	Bolden	Roush	Meyer
Muhammad	Diggs	Hershberger	Schmidt
Washington	Winston	Carlson	Becker
Ruffin	Randle	Graber	Mast
Felder	McCray	Erickson	Byler
Witherspoon	Lockett	Yoder	Schultz
Jefferson	Jean	Burkholder	Stoltzfuz
Braxton	Hairston	Bauer	Gallagher
Pierre	Hollins	Schneider	Schwartz
Louis	Booker	Kramer	Schroeder
Francois	Bethen	Troyer	Olson
Smalls	Battle	Larson	Mueller

Table 4: Racially Distinctive Black and White Surnames names taken from Kline, et al. 2021

Appendix C: Total Submissions and Callback Rates

	Number of Applications	Number of Callbacks	Callback Rate
All Assistant/Apprentice	208	52	25%
All General Manager	416	242	58%

Table 5: Summary of number of applications and callback rate for all Assistant/Apprentice and General Manager applications

	Number of Applications	Number of Callbacks	Callback Rate
South			
AGM	78	12	15%
GM	218	119	55%
Northeast			
AGM	34	25	74%
GM	76	54	71%
Midwest			
AGM	88	15	17%
GM	88	61	69%
West			
AGM	8	0	0%
GM	34	8	24%

Table 6: Regional breakdown of AGM and GM application number and callback rate

Appendix D: Analysis Methodology

To properly compare the racial disparity in callback rates, the ERC employed a simple linear probability model. The ERC included controls in this model for resume type used and only compared differences between paired applicants, e.g. Antwan Braxton vs. Neil Klein, accounting for the average callback rate for the resume type used for each. Mathematically the ERC estimated the following model:

Equation 1:

$$y_{ip} = \beta G_{ip} + \pi_p + R_{ip} + \epsilon_{ip} \quad (1)$$

where:

- y_{ip} represents a binary that is 1 if applicant i in pair p received a callback and 0 otherwise
- G_{ip} is an indicator for what "group" applicant i is in (i.e. Black or white)
- π_p is vector of indicators for each pair
- R_{ip} is a vector of indicators for each resume
- ϵ_{ip} idiosyncratic errors

Therefore estimates of racial differences in callback rates, β, will come from variation between group mates after accounting for average differences in the resume type used.

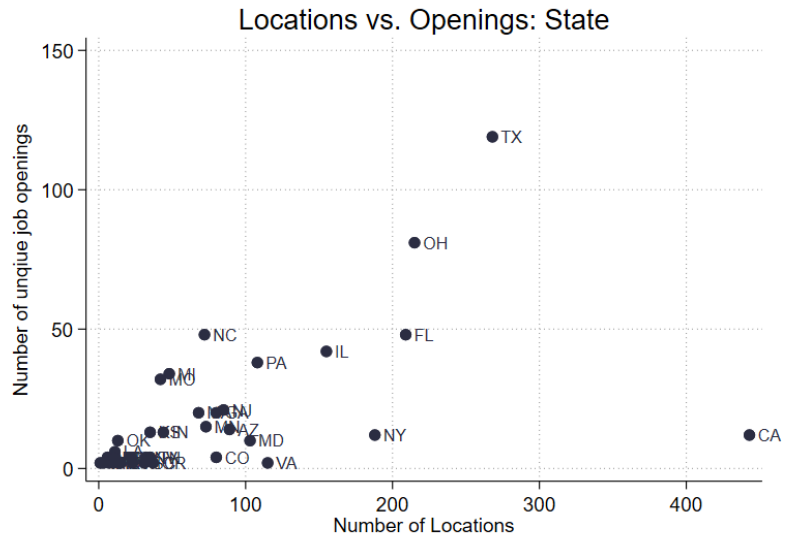# Appendix E: Chipotle Locations and Management Job Openings

Figure 6: Regional breakdown of Chipotle management job openings

Appendix F: Recruiter Preferences

In some instances, the ERC was able to identify specific recruiters responsible for "callbacks" to the applications. To begin, for each recruiter in the sample the ERC identified their "territory" from the states in which callbacks were received. The ERC then coded a binary variable that was 0 if an application was within a recruiter's territory but did not receive a callback from that recruiter and 100 if they received a callback. from the recruiter. The ERC then estimated Equation 1. This process was repeated for each unique recruiter in the sample. As can be seen in Figure 7, there exists substantial heterogeneity in the β for each recruiter. However, the ERC must caution at drawing too many conclusions as the sample sizes used to produce these estimates are small.

To look at larger subgroups, the ERC looked up these recruiters on LinkedIn and in some cases identified their race. The ERC used this information to evaluate whether the race of a recruiter correlated with their racial hiring preferences. As Figure 8 shows, white recruiters called back white applicants for 10% more jobs as compared to Black applicants. However, the ERC found that Black recruiters called back Black applicants for 1% more jobs as compared to white applicants and Latino/Latina recruiters called back Black applicants for 12% more jobs as compared to white applicants. The ERC emphasizes that this analysis is limited because there were many callbacks for which the ERC was unable to identify the race of the specific recruiter.
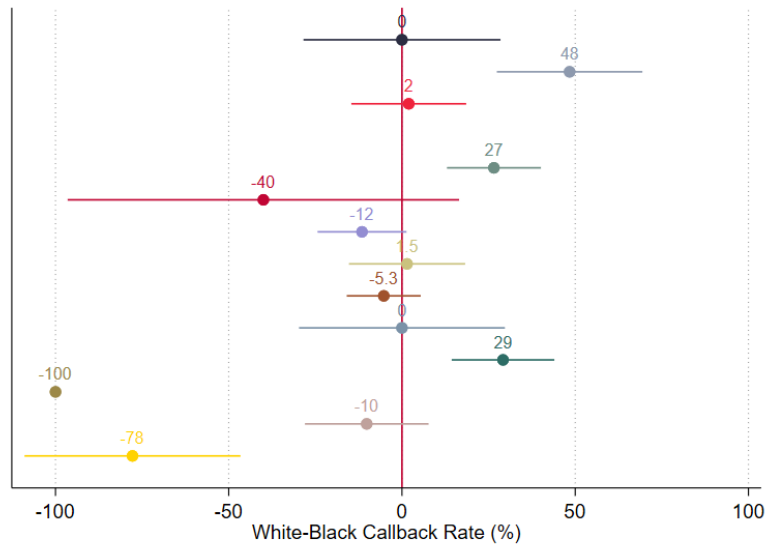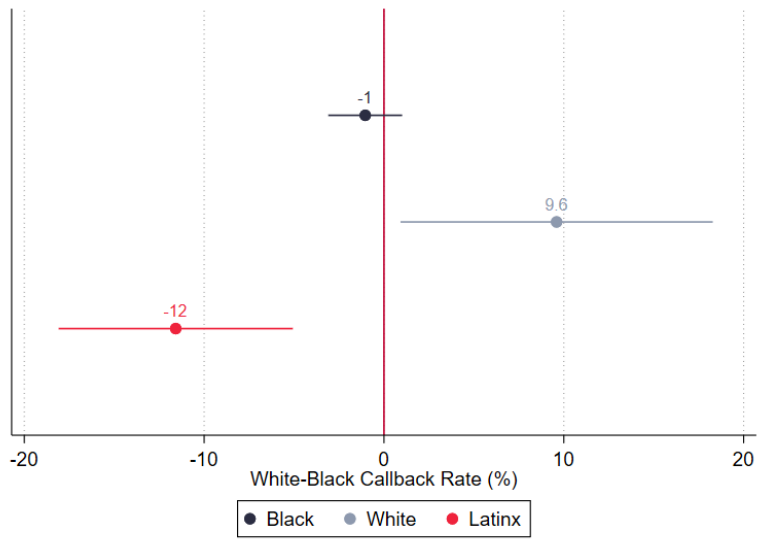
Figure 7: Recruiter Preferences

Figure 8: Recruiter Preferences by Race

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Endnotes

i   https://newsroom.chipotle.com/featured-content?item=21
ii Chipotle Mexican Grill, 2020 Sustainability Report. For hourly workers, salaried store managers, and senior level operations managers, see Table: Diversity Field Stats 2020, pp.73-74. For corporate staff, see Table: Diversity Staff Stats 2019-2020, p.75. For executive leadership team, see p.109.
iii https://newsroom.chipotle.com/2022-02-23-CHIPOTLE-ANNOUNCES-2022-ENVIRONMENTAL,-SOCIAL-AND-GOVERNANCE-GOALS-TIED-TO-EXECUTIVE-COMPENSATION
iv See proposals 6 & 7 in Chipotle Mexican Grill, 2022 Proxy Statement, proposals 6 & 7, available at https://www.sec.gov/Archives/edgar/data/1058090/000114036122012495/ny20002259x1_def14a.htm#tPRO6

v   Kline, Patrick, and Christopher Walters. "Reasonable Doubt: Experimental Detection of Job-Level Employment Discrimination." Econometrica 89, no. 2 (2021): 765–92. https://doi.org/10.3982/ecta17489.
vi Bertrand, M., and E. Duflo. "Field Experiments on Discrimination." Handbook of Field Experiments 1 (2017): 309–93. https://doi.org/10.1016/bs.hefe.2016.08.004.
vii Baert, Stijn. "Hiring Discrimination: An Overview of (Almost) All Correspondence Experiments Since 2005." Audit Studies: Behind the Scenes with Theory, Method, and Nuance, 14, 2018, 63–77. https://doi.org/10.1007/978-3-319-71153-9_3.
viii Quillian, Lincoln, Devah Pager, Ole Hexel, and Arnfinn H. Midtbøen. "Meta-Analysis of Field Experiments Shows No Change in Racial Discrimination in Hiring over Time." Proceedings of the National Academy of Sciences 114, no. 41 (2017): 10870–75. https://doi.org/10.1073/pnas.1706255114.
ix Assistant General Manager and Apprentice General Manager are different terms used on the Chipotle careers website to refer to what appears to be the same management position. Descriptions for both positions on the Chipotle website are identical. See Apprentice General Manager Description: https://jobs.chipotle.com/job/hanford/apprentice-general-manager/282/24569860320. Assistant General Manager Description:https://jobs.chipotle.com/job/blue-springs/assistant-general-manager/282/14765966864 Also, see description of General Manager position: https://jobs.chipotle.com/job/oxnard/general-manager/282/8955342736   Accessed April 6, 2022.
x   See for example: Kline, Patrick M, Evan K Rose, and Christopher R Walters. "Systemic Discrimination Among Large U.S. Employers." National Bureau of Economic Research, July 2021. https://www.nber.org/papers/w29053: 1-111; Bertrand, Marianne, and Sendhil Mullainathan. "Are Emily and Greg More Employable than Lakisha and Jamal? A Field Experiment on Labor Market Discrimination." American Economic Review 94 (2004): 991–1013.; Fryer, Roland G, and Steven D Levitt. "The Causes and Consequences of Distinctively Black Names."
xi Kline et al, Systemic Discrimination, 1-111.
xii The ERC made this decision in order to avoid introducing gender as an additional variable given limited time and resources. Several previous studies support the hypothesis that Black men are more likely to face hiring discrimination in this context than Black women and for similar reasons, several previous landmark employment testing studies only tested employers using male applicants. See for example: Holzer, Harry J. "Why Are Employment Rates so Low among Black Men?" Brookings. The Brookings Institution, March 9, 2022.
xiii Kline et al, Systemic Discrimination, 80.
xiv U.S Census Bureau. Census Regions and Divisions of the United States. U.S. Department of Commerce Economics and Statistics Administration U.S. Census Bureau, 2010. https://www2.census.gov/geo/pdfs/maps-data/maps/reference/us_regdiv.pdf.
xv The regional results are robust to using the exact Census definitions.