



A Literature Review Exploring the Challenges for Fair Work in the Hospitality Industry

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1. Introduction

The Fair Work Convention's Vision is:

By 2025, people in Scotland will have a world-leading working life where fair work drives success, wellbeing and prosperity for individuals, businesses, organisations and for society.

A Hospitality Inquiry is being established by the Fair Work Convention in order to assess the extent to which work in the industry can be described as fair work, as per this Vision and the accompanying Measurement Framework.

A review of available literature regarding working practices in the hospitality industry has been undertaken in order to inform the formation of the Fair Work Convention's Hospitality Inquiry and to identify any research gaps which will need to be filled prior to the start of the Inquiry. This document sets out the findings of the review structured around a series of themes that have emerged. These themes are introduced in Section 2 and explained more fully in Section 3. Gaps in the literature are also noted in Section 4 before early conclusions and recommendations are offered.

The characteristics of the hospitality industry create a context in which it is not surprising to see many challenges to the delivery of fair work. The workforce is predominantly young, low-skilled and non-unionised. Pay is generally low and jobs are often insecure. Women, migrant workers and part-time workers are over-represented. The industry is largely made up of micro and small-businesses, generally running to very tight margins. Brexit and the Covid-19 pandemic have placed an exceptional toll on the entire industry, which resulted in huge numbers of job losses, staff furloughed and business closures. While the recovery from the pandemic is still underway, the industry is now being hit by the rising energy prices and cost of living crisis.

2. Emerging Themes

A review of academic and business literature has been undertaken, guided by an assessment of the industry against the Fair Work Measurement Framework and insights gathered through early conversations with stakeholders operating across the industry. The following key themes aligned to the dimensions of fair work have emerged:

Effective Voice

Trade Union Membership, Collective Bargaining and Effective Voice – Trade Union membership is historically very low in the hospitality industry, sitting at 9% of workers in 2019-20 (Labour Force Survey). Only 7% of workers in the hospitality industry saw their pay set through a collective bargaining agreement. There is little evidence of alternative voice mechanisms in use in the industry.

Security

Pay – Hospitality has the lowest average hourly pay of all industries. Significant challenges exist to driving this upwards.

Precarious work – There is no single, agreed definition of precarious work, but it is typified by a non-traditional type of contract or model of employment, which is usually poorly paid and insecure. Precarious work is pervasive in lower-skilled hospitality roles.

Fulfilment

Professional Development – There is a wide range of roles available across the hospitality industry, resulting in a requirement for a broad range of skills. However, career development through the industry is not often straight forward.

There remains both external and internal skills deficits meaning there are challenges to recruiting in the right skills, and that those in positions do not always have all of required skillset. However, underutilisation of skills is also relatively high in the Industry.

Respect

Security, Health & Safety and Injuries – According to Labour Force Survey data, self-reported workplace injury in the food and accommodation industry is significantly higher than the average rate across all industries. The Survey also finds self-reported illness caused, or made worse by, work is relatively low in the Industry. However, the literature disagrees to some extent and points to a disproportionately high number of hospitality workers suffering with mental health problems and lack of support from employers.

Opportunity

Inequalities facing women and migrant workers – As in many industries, experience of work is not uniform for all. Women are found to be clustered in lower quartile pay bands and face disadvantage in terms of career progression. Migrant workers do identify some benefits from a job in the Industry but are often over-qualified for the role and face more precarity of work.

Other Issues

Rural Hospitality – Many areas of rural Scotland have a high economic dependency on hospitality, creating vulnerabilities.

Seasonal Work – The seasonal nature of much of the Scottish hospitality offering has impacts for this part of the workforce who may have to enter new contracts each year.

Self-Employed and Freelance Workers – There is a significant number of self-employed workers in the hospitality industry, but little research on the fair work issues they may face.

Future Models of employment – There is a suggestion that the industry must provide more flexibility to attract workers. This is currently being fulfilled by the growth of the gig-economy supplying temporary workers, often via apps. However, it is questioned

whether this is a positive route for the industry to take given the consequences of commoditisation of the workforce.

The implications of Brexit and the Covid-19 pandemic are also discussed.

3. Literature Review

3.1 Trade Union Membership, Collective Bargaining and Effective Voice

Lucas (2009) explores the historically low trade union membership within the hospitality industry. Her model finds this arises due to the, “combined effects of the characteristics of individuals, their jobs and workplaces, their managers’ attitudes to trade unions, the state of unionisation and HRM practices”. She suggests workers are forced into representing themselves, rather than collective representation, and the analysis reveals a “hidden desire for union membership among HI [hospitality industry] employees”. Management attitudes to trade unions is found to be highly correlated with union membership, leading Lucas to recommend that, “Unions need to gain a foothold with managers and obtain legitimacy”.

Ioannou and Dukes (2021) pick up on the issue of negligible collective bargaining and unionisation in the industry noting, “The high turnover constitutes a structural obstacle to building workplace-rooted collective identities and an established trade union group that can act at the company level and above”. The authors explain this leaves the law as the main form of regulation. They find that there may not often be major breaches of the employment law, but that “minor breaches¹—microviolations or microbreaches—are so frequent as to have become standard practice in the sector, akin to industry norms.” They go on to say “without a strong trade union presence or functional equivalent along the lines of the old wages boards, moreover, these industry norms have come to reflect, largely, the preferences of employers”.

Beyond collective representation and bargaining specifically, only a limited amount of research was uncovered relating to employee engagement to support effective voice amongst workers in hospitality. Book, Gatling, & Kim (2019) investigated the relationship between hospitality workers’ levels of satisfaction in their managers/leaders and the level of employee engagement. The authors found a positive leader/follower relationship is critical to achieving employee engagement, and that this also has a positive knock-on effect for loyalty and intention to stay. Their research, however, principally draws from a survey of workers in a large hotel and casino resort in the Southwestern United States. Beyond academic literature/research, there are strong hints towards engagement within the Hospitality Charter (Hoteliers' Charter, 2021), but it is not explicitly outlined within the Pledge or its Supporting Guidelines. Furthermore, engagement is only vaguely included in the ‘Hospitality Commitment’ – a voluntary code of conduct for the hospitality industry – which includes a ‘Golden Rule’ of having “Communication & feedback mechanisms in place so regular one to one dialogue is always in place” (People 1st International, 2020). More research is required to understand what mechanisms are used across

¹ Interviewees in the study mentioned breaches such as under-recording of worked hours, indefinite postponement of payment of wages, loss of some holiday pay and insufficient rest breaks.

the industry in Scotland to engage with staff, how these are received and how effective they are.

3.2 Pay

Drawing from Labour Force Survey data for October-December 2019, the Fraser of Allander Institute (2020) reports that the accommodation and food industry has “the lowest hourly pay of all industries and has among the lowest number of weekly hours”. However, it is by no means seen as an easy task to drive-up wages in the industry although some progress can be seen by the increase in accredited real Living Wage Employers across the Scottish Hospitality Industry (McCaig, 2021).

The Carnegie Trust’s 2021 report on the Future of the Minimum Wage found 41% hospitality and leisure businesses were concerned about the impact of a higher minimum wage; the average across all businesses was 29% (Gooch, Dromey, Irvine, & White, 2021). It was noted that the hospitality industry would see a large direct impact arising from an increased minimum wage, especially given the hit the industry has sustained from the Covid-19 pandemic. Concerns are raised that one impact of a higher National Living Wage (NLW) is greater ‘bunching’ at the wage floor. The report explains that 11% hospitality businesses that responded to their survey, said that they would “reduce or remove supervisory or managerial roles in response to further increases in the minimum wage” – clearly highlighting the potential knock-on effects for job progression. The Carnegie Trust proposes there should be targeted support for industries with high proportions of low paid employees to enable increases to the minimum wages², but also that wages must be seen as part of a broader ‘good work agenda’ to drive up job quality. The report goes on to recommend promotion of “sectoral collective agreements in sectors characterised by low pay and poor job quality”. They see this as “employers and workers agreeing common standards on pay, progression, and training for their sector, to sit alongside the minimum wage.”

Tips can be an important, and significant, part some workers’ take home pay in hospitality. Anecdotally, the Fair Work Convention has heard that the handling of tips (including use of a tronc and troncmaster) varies widely across establishments in Scotland. This is corroborated by research from Ireland where we would expect the industry to be relatively similar. Cullan (2021) surveyed hospitality workers in Ireland on a range of topics regarding their experiences of working in the industry. This included experiences of tip handling. Cullan details the variety of tip sharing arrangements reported by respondents to the study’s survey – including different proportions of splitting tips between front of house and back of house staff; sharing per shift, sharing per staff category, sharing based on employee type (e.g. FT/PT), and even sharing based on management favouritism. The research also found that varying proportions of tips were taken by the employer to: supplement the till, cover walk-outs, buy newspapers, cover staff events, pay staff wages, cover staff taxes, make up the Christmas bonus, or cover the staff or management Christmas party. In the same survey, fairer sharing of tips was seen as a top suggestion for improvement among employees. Further research is needed on this topic – including the impact of the Covid-19 pandemic which has further reduced the use of cash

² E.g. A temporary reduction or rebalancing of employer national insurance contributions

thereby affecting tipping culture amongst customers and sharing mechanisms. Fair and transparent³ handling of tips should be a key consideration of hospitality employers in the pursuit of fair work.

3.3 Precarious Work

There is no single definition of 'precarious work'. An STUC report notes, "A precarity dynamic comes to the fore when the employer holds the power to unilaterally make decisions, for example, about the scheduling of work" (STUC, 2019). Meanwhile, Benach et al. (2016) present precarious employment as, "A multi-dimensional construct encompassing dimensions of employment insecurity, individualized bargaining relations between workers and employers, low wages and economic deprivation, limited workplace rights and social protection, and powerlessness to exercise legally granted workplace rights."

In 2019, the STUC published a research report entitled "Time, Control, Trust: Collectivising in Precarious Work". This piece of research included a focus group with 10 Unite members from across the hospitality industry⁴ in Scotland. Participants discussed the nature of their work and the pressure it caused on their personal lives and their work-life balance. The impact of this particular dimension of precarity is reflected in the words of one participant, "*if you never know when you're working, or how much you're going to be working, you cannot organise any of the rest of your life, so your diet, your social life, I mean you can go years without seeing your friends if they don't work in bars or whatever*" (STUC, 2019). Piso's (2021) qualitative research with employees in the UK hotel industry and with managers responsible for budgetary control over labour and for setting work schedules, digs deeper this issue of lack of control over working hours. The author recognises the balance employers are trying to make to "precisely match employee hours with the fluctuating demands of consumers" and to ensure optimum labour productivity. However, they highlight too the very limited involvement of employees in this determination of working hours and "complete disregard for legal protection" (i.e. Working Time Regulations). Employees pointed to experiences of: late notice of shifts; not being able to take their breaks but still having their breaks deducted from their pay; inaccuracies of recording of hours worked; and uncertainty of finish times. Felstead et al. (2020) examined the rise of unpredictable working hours to understand if it was being fuelled primarily by the growth in Zero Hours Contracts (ZHCs). The authors, however, find that insecurity over working hours is far more wide spread than the prevalence of ZHCs.

In Piso's study, few participants reported feeling confident to raise issues around working hours for fear it may be a risk to their insecure contracts, to getting good references, to camaraderie with colleagues or would simply be a fruitless exercise. Piso does suggest there is opportunity for improvement if "work colleagues could be collectively involved in deciding how rotas are distributed could enable a process that is fairer and more transparent", but the lack of trade union involvement is seen as a major challenge to pushing for this change. (Piso, 2021).

³ Transparency for customers as well as workers.

⁴ Note: As previously mentioned, unionisation is low in hospitality, so this group may not raise issues in the focus groups that are fully representative of the workforce as a whole.

A further dimension of precarious work is 'in-work poverty'. The Joseph Rowntree Foundation's Report (2021) on the nature and scale of poverty across the UK highlights the fact that, "workers in the hospitality and retail sectors face some of the highest risks of in-work poverty", due to low pay and low working hours. They explain in "2018/19, 23% of [UK] workers in accommodation and food services were in poverty, the highest among all the sectors, representing more than 402,000 workers in poverty". An article by the Fraser of Allander Institute focuses more closely on Scottish households, and notes a similar level - "28% of all people who are in a household with a worker in this sector [hospitality] were in poverty," which is significantly higher than the Scottish average of 19% (Fraser of Allander Institute, 2020). In-work poverty can be further compounded by limited rights, benefits and protections available to workers on particular types of contract. Often this comes down to whether an individual's employment status is 'worker' or 'employee'. Employees are entitled to maternity, paternity and adoption pay, have the right not to be unfairly dismissed after two years' service and are eligible for statutory redundancy pay, unlike workers (CIPD, 2013). Further negative knock-on financial effects of certain contracts (such as ZHCs) are noted by Ndzi (2021) including difficulties accessing loans, mortgages and pension.

While Zero Hours Contracts (ZHC) and other non-traditional forms of contracts are a particular area of concern when examining precarity in the hospitality industry, it should be noted that not everyone sees their use as a negative for all workers. CIPD (2013), for instance, found that "people on these types of arrangements are significantly more likely to be satisfied with having no set minimum contracted hours than to be dissatisfied"⁵. Ndzi (2021) agrees to some extent in their qualitative study across six sectors, which found positive experiences of ZHCs although these were mainly heard from people who were not dependent on the income. Furthermore, Antonucci (2018) finds that precarious work undertaken by young people⁶ does not always lead to an experience of precarity. Research by Progressive Partnership (2021) for the Scottish Government, found their youngest participants (16-19 year olds) to be most satisfied with employment that would be classified as precarious, this may in part be due to most still being financially dependent on someone else, earning money to be socialise with friends or buy things for themselves, or needing employment to fit around education.

3.4 Professional Development

Jobs in hospitality are often perceived as "low skilled, low paid, menial transient jobs", in part due to the low barriers to entry (World Travel and Tourism Council, 2015). However, in reality, the hospitality industry is diverse, with wide-ranging occupations and a broad skills profile. Some (but by no means all) occupations have clear career pathways. Ladkin and Kichuk (2017) note there is limited research on career journeys in hospitality, but highlight a series of papers focused specifically on career development for hotel managers. They explain that the role of hotel general manager is often a 'target job' for many in the Industry. It is one where a more structured development hierarchy may be seen, particularly in larger hotel

⁵ CIPD do, however, highlight a series of good practices to support best use of ZHC - <https://www.cipd.co.uk/knowledge/fundamentals/emp-law/terms-conditions/zero-hours-factsheet#gref>

⁶ Their study focused on university students

companies. They summarise that career journeys to hotel manager often include significant mobility of the employee, moving both between and within organisations. The authors also cite McCage and Savery (2007), who found evidence of 'butterfly' career patterns – employees 'fluttering' between positions as new opportunities arise in order to build up a range of experiences. As such, even in this relatively structured environment, there is "no one specified career journey, but rather the journey is opportunistic, and in some ways reflects an extension of the boundaryless career".

While this apparent fluidity and flexibility may be a positive, the increased 'individualisation of risk' also causes some concern for the mental health of young people. Gilek (2020) notes the expectation for individuals to manage their own working life – to be responsible for their own opportunities for skill development and for securing jobs. This can be particularly disadvantageous to young people. Failure becomes more personal, affecting job quality and increasing pressure on other mental health concerns.

A 2019 report looking at the workforce landscape for the hospitality and tourism industry across the whole of the UK presents evidence of both an external skills deficit (where employers struggle to fill vacancies due to a lack of skills, qualifications or experience from applicants) and an internal skills deficit (when employees lack proficiency to fulfil their role, thereby hindering their ability to function to their full potential in terms of productivity and profitability). On the whole, the hospitality and tourism industry is found to have a lower external skills deficit than other sectors (Economic Insight, 2019). However, there are very specific hard-to-fill vacancies, such as chefs. The Centre for London reported that the UK loses an estimated 20,000 chefs each year and attributes this partly to "low rewards compared to the cost of living, and difficult working conditions" (Bosetti & Washington-Ihime, 2019). The internal skills deficit (skills gap density) is higher in hospitality compared to the UK economy as a whole, with operational and leadership and management skills having the greatest deficits (Economic Insight, 2019).

Looking to the future, there will be new skills needed in the hospitality industry. Carlisle, Ivanov, & Dijkmans (2021) offer insight into the future digital skills need. The authors focus on tourism broadly, but many of the same requirements will be true for hospitality. They highlight the ever-growing number of 'digital citizens' or 'digital savvy tourists' who are preparing, booking and engaging with travel online. Employees' skills must respond to these customer demands and expectations. Businesses will want to: connect with customers; track customer preferences over time; build relationships and loyalty; manage and monitor business functions; undertake human resource management, reservation management, supply chain management and inventory control; complete environmental impact assessments; act to reduce waste; and enable customer self-service. All of which are becoming increasingly digitised tasks.

Whilst skills deficits appear fairly well researched and analysed, literature on skill underutilisation is harder to find. A 2017 report by Skills Development Scotland noted that 41% hotel and restaurant establishments reported skill underutilisation (Skills Development Scotland, 2017). More investigation is needed here as skills utilisation contributes to fulfilment at work – one of the five Fair Work dimensions.

Another important contributor to the fulfilment dimension (and also to the opportunity dimension) of Fair Work is access to training. The prevalence of gig work, short term contracts, ZHCs and seasonal work in the industry is expected to reduce employers' motivation to invest in workforce development (Baum, Duncan, & Forsyth, 2021). However, in the 2019 Scottish Employer Perspectives Survey, 69% respondents from the hotels and restaurants sector reported providing training – with internal training being more common – which is fairly comparable to the average across all sectors where 70% provide training (Kik, Winterbotham, Tweddle, Cranney, & Morrice, 2019). However, in the Annual Population Survey, only 16% hospitality workforce reported taking part in any training in the 3 months before the 2019 Survey. This discrepancy suggests the high provision of training may mask issues in terms of quality of training, timing / regularity, and other barriers to uptake. There may be specific issues to uncover within the hospitality industry – for instance, the extent to which staff undertake training in their own time.

3.5 Security, Health & Safety and Injuries

The Health and Safety Executive reports that the rate of self-reported workplace injury in the food and accommodation industry was statistically significantly higher than the average rate across all industries (Based on Labour Force Survey data for 2017/18 - 2019/20) (HSE, 2021). The European Agency for Safety and Health at Work (2008) notes accidents in the hotel, restaurant and catering industry often relate to “handling, lifting or carrying, slips or falls, hand tools, being struck by falling objects, exposure to or contact with harmful substances, and cuts and burns”. However, it should also be noted that the rates of self-reported illness caused or made worse by work are lower in the Industry compared to the rate across all industries.

A survey of 743 hospitality workers by the Royal Society for Public Health (2019) found a large proportion of respondents had been negatively affected by something that happened at work – verbal abuse from a customer, insufficient breaks and inadequate management were the highest reported issues. Repercussions included increased stress, less time for other activities, disrupted sleep, anxiety and fatigue. The report goes on to stress “nearly one quarter (24%) of respondents required medical or psychological help, and one fifth (20%) reported having a severe mental health problem”, with many not feeling supported at work with these negative experiences.

There may be a particular need to consider the mental health of the high proportion of young workers in the Industry. Gilek (2020) has explored the mental health of young workers across all industries in relation to job quality⁷ – thereby going beyond the consideration of individual factors which previous research has tended to focus on. The author finds job quality variables - pay, meaningfulness, contract type, training, career prospects, physical risks and working time - when taken together, were strong “predictors of affective well-being, anxiety and work-related exhaustion”.

⁷ Explained as a multi-dimension construct including intrinsic, individual and contextual factors including pay, job security, health and safety, job characteristics, work-life balance etc.

This has clear implications for the need for hospitality jobs for young people to be high quality jobs.

There are some particular characteristics of hospitality jobs which may add to the perceived and real risks and vulnerabilities faced by workers including risks of experiencing violence and work-related stress. Firstly, many workers will be 'Lone Workers' – e.g. housekeepers and those delivering room service (HSE, 2021) – which could be further exasperated by the prevalence of alcohol in many hospitality settings. Secondly, many will work late at night, creating particular issues such as needing to travel when transport services will be limited. There is, however, little literature to be found on the experiences of lone workers in hospitality and late-night hospitality workers.

3.6 Inequalities

As with most industries, hospitality experiences inequalities which need to be addressed in the pursuit of fair work.

Gender

Work in the hospitality industry is segregated by gender - horizontally and vertically (Dashper, 2020). A PwC Report (2019) highlighting the ingrained gender inequality in within the Hospitality, Tourism and Leisure (HTL) industry highlights only a marginal fall in GPG across the UK from 12.4% to 11.4% between 2017 and 2018 (i.e. from first to second year of statutory reporting). The report includes analysis of a survey and interviews by WiH2020⁸ and goes on to explain the clustering of women in the lower quartile pay bands, which often offer little scope for career progression.

Dashper (2020) notes that “women are severely underrepresented at executive levels” due to the “entrenched glass ceiling that limits career opportunities for many women” and an “implicit masculine norm that defines the ideal employee”. Many of the women who have reached senior positions, “remain clustered within support functions such as HR, rather than frontline profit & loss (P&L) drivers” (PwC, 2019). Positions outside of P&L-driving functions are less likely to receive bonus payments causing a gender bonus gap on top of the base wage gap. Calinaud, Kokkranikal, & Gebbels (2021), similarly note an operational divide whereby operational roles have an advantage in achieving career advancement versus non-operational roles, which has a gendered implication as women employees often face more barriers to accessing male-oriented, operational-level jobs.

Through interviews with men and women in the hospitality industry, Moody-McNamara & Higgins (2020) begin to identify some of the specific barriers that exist to women's progression. Respondents, for instance, reported the industry often felt like a 'boys' club' with impacts on recruitment and undervaluation and undermining of women's roles and achievements. As with many industries, having children is also a significant barrier. The authors find a “persistent pattern of resistance in women to discuss family matters openly at work as they were afraid they'd be judged, seen to be less capable or dedicated”. One respondent quoted in the report highlighted the

⁸ WiH2020 now rebranded to WiHTL (<https://www.wihtl.com/>)

need to be geographically mobile for senior roles which does not align easily with family life.

Calinaud, Kokkranikal, & Gebbels (2021), using the gendered organizations perspective, set out to consider enablers of and strategies that were facilitating women's career advancement. They agree that hospitality is a gendered working environment and the precarious nature of the industry acts to perpetuate gender inequalities. Through their qualitative study with 10 women occupying senior management positions, they found: flexible working arrangements (e.g. compressed working hours), transparent and proactive gender equality and inclusion measures, mentoring, women role models in leadership positions, certain personal attributes, personal career plans and coaching to be key enablers.

Migrant Workers

Migrant workers⁹ are over-represented in the UK hospitality industry. Fernández-Reino & Rienzo (2021) report that 30% hospitality workers were born abroad (comprising 13% from the EU and 15% Non-EU), compared to 18% across all industries. The authors explain that most migrant workers in hospitality are likely to be working in low-level occupational groupings with low wages (e.g. waiting staff and housekeeping) although this does vary by country of birth. Furthermore, migrant workers are generally found to: be more likely to work shifts; be overqualified for their role; and have non-permanent contracts compared to UK-born workers (Fernández-Reino & Rienzo, 2021).

Janta (2009) explored the experiences of Polish workers in the UK's hospitality industry. Whilst areas of dissatisfaction were felt amongst respondents, including discrimination, her research also highlighted positive attitudes and perceptions. In particular, many commented on jobs in the hospitality industry being a "good starting point", for instance to improve language skills, develop new skills and to understand the culture. The work provided a chance to meet other people, to build new relationships and to maintain flexibility. With these benefits in mind, some respondents wanted to continue working within the Industry, but found significant challenges to job progression. Ndiuini (2019) also finds significant challenges to career development and progression in her study of Kenya workers in the UK hotel industry. In Kenya, a hospitality career is seen as vibrant and skilled, and staff receive professional training. However, the respondents in Ndiuini's research point to structural barriers inhibiting their career development and, indeed, career downgrading. The author notes, "precarious employment influenced by immigration regulation characterised by a rigidity and a lack of choice between employers" alongside "typical hotel sector work-place exploitation characteristics such as, non-recognition of qualifications and previous work experience, low-pay, and underemployment" as contributors to career immobility.

Further consideration of challenges relating to EU workers is offered below in Section 3.11- Impact of Brexit.

Workers with Disabilities

⁹ Defined in this study as people who were born abroad and have migrated to the UK, regardless of whether they have become UK citizens

Literature focused on the experiences of disabled workers in the Industry is limited. Vashishth & Jhamb (2021) present an overview of reasons employers should hire people with disabilities (PWDs), which includes: high retention and loyalty of employees with disabilities; a positive impact on corporate image; attracting a more diverse customer base; an influence on customer loyalty; the addition of innovation skills offered by employees with disabilities; a positive impact on productivity; a high work ethic; enhanced safety and security in the workplace for all workers after accommodations for PWDs were put in place; promotion of inclusivity and positivity across the entire workforce; and enhanced recognition and community acceptance of the capabilities of PWDs. While, this paper offers valuable perspectives, further research on the direct experiences of disabled workers is required.

Other Areas of Inequality

Inequality is likely to be identified as a core consideration for this Hospitality Inquiry. Therefore, a further review of the literature should aim to draw out further the experiences of:

- Ethnic Minorities
- Older Workers
- Young Workers
- LGBTQ+ Workers.

One of the more positive outcomes of Covid-19 is the heightened awareness amongst some leaders in business of the importance of staff well-being and of key diversity and inclusion issues. However, it is further noted that awareness does not automatically lead to action, particularly when competing with pure business survival (MBS Intelligence, 2020). The Fair Work Convention's Hospitality Inquiry may be interested to track attitudes and action in this space.

3.7 Rural Hospitality

There is a strong reliance on hospitality and tourism in many rural areas of Scotland – particularly the Highlands and Islands. Unique challenges for fair work are expected in these areas, but research and literature is limited.

A SRUC 'Rural Lives' project has examined the impact of Covid-19 on rural sectors, including hospitality. The authors note in recent years there has been an "increasing reliance on employment and self-employment in tourism and hospitality" within their rural study areas (which included the Isle of Harris, and Blairgowrie & the Glens). This has made the areas disproportionately susceptible to the impacts of Covid-19 in terms of business closures and job losses. Impacts are deeper due to the pre-pandemic use of casual and seasonal contracts as well as the reliance on housing tied to jobs. Furthermore, many hospitality businesses in Harris were in their infancy with debts to pay off and limited financial accounts from previous years, which were required to access the highest levels of government financial support (Glass, Shucksmith, Chapman, & Atterton, 2021).

3.8 Seasonal Employment

A significant proportion of the hospitality industry in Scotland will experience seasonal fluctuations in consumer demand. Some establishments may close entirely during the 'off-season', while others may keep just a minimal workforce. Workers in these settings may be offered seasonal contracts (i.e. a new contract starting and terminating with each season) or reduced hours during the off-season. In reverse, Baum, Duncan, & Forsyth (2021) note that 'high-season' often requires businesses to recruit workers from outside of the mainstream local labour market. This may include temporary local workers (e.g. high school / college students) or workers from other regions and countries.

It has already been mentioned in Section 3.4 that the nature of seasonal employment can cause a reluctance among employers to invest in the training and development of their workers; potentially resulting in an under-skilled workforce. Baum, Duncan, & Forsyth (2021) go on to highlight more issues relating to seasonality including: a lack opportunities for career progression and development in seasonal establishments; a need to provide accommodation for incoming workers in areas where housing costs are high and supply limited; a loss of accumulated skills at the end of the season; and the disadvantage facing seasonal workers when seeking loans etc. In counter to these, the authors do note seasonal employment can be a good opportunity for certain individuals who may face challenges joining labour market (e.g. students and younger workers).

Baum & Hagen (1999) offer an interesting additional perspective to the impact of seasonality on worker experience. Their research explored the strategies that certain locations developed with the intention of extending their existing season or developing opportunities at different times of the year. The main forms of initiatives to counter seasonality noted in the paper are: events and festivals; market diversification; product diversification and a structural and environmental response. This Literature Review has not uncovered any research on current strategies being pursued in Scotland regarding extending seasons, but it seems likely that considerations like this will be being made, especially in the period of recovery after the Covid-19 pandemic. The Inquiry, may wish to consider the potential impact of extending seasons – positive on one hand, if it offers workers longer contracts but, with the potential to create more insecurity and uncertainty for workers depending on the approach pursued.

3.9 Self-Employed and Freelance Workers

ONS data (EMP14) shows that 125,000 people (approx. 5% UK Hospitality Workforce) were self-employed in the UK Accommodation and Food Services Industry between Jan-March 2021, with an almost even split between men and women. This includes individuals running their own pub, events company or catering company as well as freelance chefs, bar tenders or baristas. 'Gig-work' – and specifically work enabled my platform-based apps – is considered below in Section 3.10. However, there remains a need to better understand the experiences of self-employed and freelance workers in the industry.

3.10 New models of work and employment in the hospitality industry

While the 'gig-economy' surrounding food delivery has received much critique in recent years, gig-work in the wider hospitality industry is only now beginning to receive attention and is still under-researched. An article on 'Eater' – a website offering 'Food news and dining guides' – in 2021, illuminates the development of the 'micro-gig' economy in hospitality (Wyer, 2021). Apps such as 'Stint', 'Indeed Flex' and 'Limber' are explained to be matching workers to temporary positions. The focus of the Stint app is matching university students to very short term work – often as little as 2 to 3 hours at a time. On the Apple App Store, the description notes: "No experience needed — you'll be doing work that's basic but vital to the business, like clearing tables, polishing cutlery, and refilling water jugs" (App Store Preview: Stint , 2022). It is reported that workers take home £8.92 per hour - a penny above the highest U.K. minimum wage for people over 23, and more than two pounds below the London Living Wage of £10.95. The business model also discourages businesses to take temporary workers on as permanent employees (Wyer, 2021).

On one hand, it is clear this form of work is reinforcing the precarious nature of employment in the Industry where workers are receiving poor pay and minimal training, with the effect of creating "an extension of casualisation" (Wyer, 2021). On the other hand, many of the user reviews express satisfaction as the app provides them an easy and convenient way to make money (App Store Preview: Stint , 2022). In their consideration of the future of hospitality jobs, El Hajal and Rowson (2021) analyse these different perspectives in more detail. The authors note, "the Covid-19 pandemic and its restrictions have revitalised the gig economy and forced the hospitality industry to explore a sustainable long-term relationship with it." They stress the risk of "creating a world of disempowered workers" in which wages are bid downwards and where abuse is hard to monitor. They recognise the gig-economy offers opportunities to a small group of workers (like the students targeted by 'Stint'), but conclude, "It is not great for many other workers, especially as it forces mainstream employers to compete on the same terms".

While El Hajal and Rowson (2021) highlight the risks of the gig-economy, the authors also note that employment strategies in the Industry do need to change and, in particular, employers need to provide more flexibility to the workforce. Martins, Riordan, & Dolnicar (2020) pick up on the growth of non-standard work and put "forward a post-Covid-19 model of tourism and hospitality workforce resilience". Their model focuses on the 'sector-transferable skills' (e.g. interpersonal skills such as communication and empathy). The authors suggest, "Reconceptualising the service industry as a services industry community will allow workers with sector-transferable skills to move between service sectors to improve their employment opportunities and increase income security." They recognise that sector- and role-specific training would often be required, but point to the benefits for individual and overall workforce resilience that could arise from such a rethink of the model of work in the sector. Huang et al. (2021) offer a similar line of thinking. The authors make two propositions:

"Proposition 1 - Increase and streamline the training of transferable soft skills for hospitality workers". It is suggested that identifying and emphasizing soft skills that transcend industries might be an effective strategy for addressing mass unemployment within the hospitality industry.

“Proposition 2 - Implement flexible work arrangements that respond to the changing hospitality labour market” – specifically, utilise an ‘Employee Sharing Model’ (ESM) to balance the needs of human resources across organizations. It is noted that the success of an ESM will require multiple employer partnerships, robust P2P platforms, fair agreements, and policy frameworks aimed at protecting employees and employers’ rights”

While the fair work implications of these concepts are unclear, the general need to consider the growing use of new technologies, along with how the Industry has been shaped by, and responds to, recent challenges may be interesting areas for further consideration within the Fair Work Convention’s Hospitality Inquiry.

3.11 Impact of Brexit

It can be difficult to untangle the impacts of Brexit and those directly resulting from Covid-19. There is, however, literature and research from the pre-Brexit period which highlighted the expected impacts. For the hospitality industry, these were primarily regarding challenges for the supply chain and restrictions on the workforce, which previously relied on a significant proportion of EU workers. With the compounding impact of Covid-19, vacancies in the hospitality industry reached 171,000 in the period February-April 2022 (ONS, 2022). The Financial Times reported that, EU employees accounted for only 28 per cent of the UK hospitality workforce in April 2022, down from 42 per cent before the pandemic, while British workers make up 55 per cent compared with 46 per cent in 2019 (Hancock, 2022). The data presented in the articles confirmed the suspicions of the KPMG 2017 report that vacancies created by the loss of EU workers were not being filled by the switch to UK workers.

3.12 Covid-19 Pandemic

Covid-19 has had a disproportionately large impact on certain demographics and industries. It has hit tourism and hospitality especially hard; by Feb 2021, only 32.2% Scottish food services and accommodation businesses were trading (Fraser of Allander Institute, 2021). Furthermore, drawing from YouGov data, SMC (2020) found “nearly one in five (17%) of those previously employed in hospitality and leisure have lost their jobs. Just over eight in ten (81%) of those previously employed in this sector have experienced some form of negative labour market impact¹⁰”. Likewise, the industry had the lowest proportion of staff that worked from home during the Covid-19 pandemic compared to all other industries (Fraser of Allander Institute, 2021).

In their ‘rapid response’ critique, Baum, Mooney, Robinson & Solnet (2020) argued that “the consequences of the Covid-19 pandemic for the hospitality workforce are an amplification of existing known challenges experienced by this group rather than the manifestation of something new”. They noted that structural features already created precarity and vulnerability amongst hospitality workers. For instance, many of the workers in the industry will have low levels of formal education causing

¹⁰ i.e. had their hours or earnings reduced and / or been furloughed or lost their job

difficulties if they need to secure alternative employment. Similarly, an article from the Fraser of Allander Institute (2020) note the high proportion of workers in the hospitality industry who live in single adult households, which means there is less resilience among workers to crises like Covid-19. Others have highlighted the disproportionate impacts of the Covid-19 pandemic on women and people of colour working in the industry (MBS Intelligence, 2020). For this report, PwC research found that “a higher proportion of women have been furloughed, put on reduced hours or made redundant (65%) than men (56%)” and “67% of those from ethnic minorities have been furloughed, put on reduced hours or made redundant, compared to 62% of white colleagues”.

Hospitality workers who remained in their posts, serving customers during the Covid-19, had to manage evolving guidelines and health and safety measures. Staff faced a heightened personal risk with each shift they worked. However, they also had added pressures due to customer behaviour. Research by Booyens et al. (2022 - In Press) examined customer misbehaviour in the hospitality industry during the Covid-19 pandemic through a survey of Scottish employees. Employees reported customer misbehaviour worsening during the pandemic –verbal abuse and harassment being most prevalent. The authors note customer misbehaviour is commonly thought of as “part of the job” and there is often an expectation to tolerate it. Of the respondents in this study who had experienced or witnessed incidents, 59% stated they did not report the incident – due largely to the culture the abuse should be tolerated and the perception that nothing would be done about the issue. The authors argue that the normalisation of this behaviour and lack of managerial support is alarming and suggest these practices will often constitute a form of “social washing”. They call for transformational leaders to create safer workplace cultures and policies and for stronger legal protection for workers.

The Covid-19 pandemic was a stimulus for many establishments to pivot into new concepts (e.g. pubs and restaurants offering takeout only) or adopt new technologies (e.g. online booking, contactless ordering and contactless payment). While this may support the long-term survival of the businesses, Huang et al., (2021) point out that some adaptations may mean fewer jobs in the industry. Implications for workers extend further still; People 1st International (2020) pointed to a deterioration of skills over the course of the Covid-19 pandemic, but also a requirement for new skills “in relation to social distancing, health & safety and infection control but also in terms of taking the initiative to deal with out of the ordinary situations, identifying new needs of clients, as well as communicating effectively”.

The medium-term impact of Covid-19, however, does not stop at current workers. Siow, et al. (2021) offer the additional perspective of the impact of Covid-19 on the recent cohort of students studying Tourism, Hospitality, and Events (THE). The authors identify a number of changes in terms of the student 'journey' – from course open days, to challenges of gaining experience in the industry and on to confidence at graduation. The research also picked up on the changes to formats and styles of teaching – i.e. how learning is delivered – as well as the inclusion of some new topics in the curriculum and mitigation measures for the limitations on direct contact/experiences with THE workplaces. The impact of these changes on THE students' skills and experience, and the longer term implications for the industry, are yet to be seen.

Early in 2021, it started to become obvious that a key impact of the Covid-19 pandemic and Brexit combined, was staff shortages (BBC, 2021). The ONS reported, “In February to April 2021, the number of vacancies reached its highest level since January to March 2020, with most industries displaying increases over the quarter, most notably, accommodation and food service activities” (Office for National Statistics, 2021) . By Apr-May 2022, 49.3% of businesses in the Accommodation & Food Services Industry were still reporting difficulties recruiting employees, a higher share than any other industry (ONS, 2022). The main reason for the difficulties is identified as the low number of applicants. At that point in time, 55.8% of businesses in the industry were reporting a worker shortage.

4. Reflections on Fair Work Framework

This Literature Review has begun to demonstrate that the nature of the hospitality industry, and the resulting forms of employment within it, are a cause for concern across all five fair work dimensions of voice, opportunity, respect, security and fulfilment.

The low unionisation and very limited collective bargaining in the Industry indicate the challenges for workers to have an effective voice, which is critical for the other dimensions. The security dimension is particularly weak in the Industry, with average hourly pay noted as the lowest across all industries, high levels of precarity, and many workers experiencing in-work poverty. Fulfilling work is multifaceted but includes using and developing skills and having appropriate opportunities for personal growth and career development. The Literature Review has highlighted that while there is a wide range of roles involved across the Industry, progression is not always easily apparent or achievable. Furthermore, underutilisation of skills appears to be an issue, despite concurrent skill vacancies. In the Fair Work Framework, the dimension of respect considers the treatment of workers and their protection from illness, injury, bullying and harassment. Here, there is a mixed picture. On the one hand, the Industry has relatively high levels of self-reported injury at work compared to rates across all Industries but, on the other hand, comparatively lower levels of self-reported illness. The Literature does, however point to a range of mental health concerns which could have particularly important and lasting impacts for the high numbers of young workers. Finally, fair work requires fair opportunity across areas such as recruitment, employment, training, and career progression. The literature, however, has shown that certain groups (e.g. women and migrant workers) are facing significant barriers to equality.

Brexit was already set to bring additional challenges to work in the Industry, but the Covid-19 pandemic appears to have overshadowed and compounded these. The pandemic, and resulting restrictions including the temporary closure of many hospitality establishments, has created short and long term implications for fair work. Even here, though, disparity of impact can be seen with female and minority ethnic workers facing more negative impacts than male and white workers respectively.

It should be noted that there are also positive findings in the Literature, and actions being taken on the ground, with regard to fair work. The Hotelier’s Charter for

instance, which launched in 2021, clearly aligns to many of the dimensions of fair work. Covid-19 has also brought staff wellbeing and inclusion to the forefront on the Industry.

5. Gaps in the Research

In light of the research presented above, the following areas have been identified as those which may warrant further investigation prior to the commencement of the Fair Work Convention's Hospitality Inquiry.

5.1 Tips

Little research has been uncovered relating to the handling of tips across different Scottish hospitality establishments and the extent that this is fair and transparent for staff and customers. Some research findings have been presented regarding Irish workers' experiences of this. Given the important contribution that tips can make to take-home pay, it would be of interest to explore and compare Scottish employees' experiences of tip handling to those of Irish employees.

5.2 Underemployment

Data from the Annual Survey of Hours and Earnings found in 2019, 14% workers in hospitality would like more hours of work; this is the highest level of all industries. Across all industries, underemployment is concentrated in rural areas and amongst females, young workers, distribution/hotel/restaurants, sales & customer service workers (Lindsay, Houston, Byrne, & Stewart, 2020). The authors note that underemployment is, in part, due to employers seeing "maximising staffing flexibilities as essential". However, there is little further examination of this important issue in the literature specific to hospitality.

The changing hospitality labour market (i.e. the current worker shortages arising post-Covid-19) may do something to address this underemployment, but this is not yet clear as there may be some misalignment between the shortage areas and the where the previous underemployment was concentrated.

5.3 Skills Underutilisation

There is limited data which suggests a considerable underutilisation of skills within the Industry. More research is required to understand: what skills are not being fully utilised; why this is the case; and how can this be improved given that good utilisation of skills will contribute to fulfilment at work.

5.4 Training and Career Progression

There appears to be a mismatch between the level of training employers report offering and the level of uptake reported by staff. Further research could aim to uncover the reason for this mismatch. What are the barriers to uptake of training, for instance? Is there a misalignment between the type of training on offer and the skills that staff want to develop? This may feed into a wider investigation of career progression opportunities, which do not appear to be visible or easily pursued by many workers in the Industry.

5.5 Staff Engagement

Little research have been found which explores the prevalence and effectiveness of employee engagement in the Industry. If workers have issues on any number of topics, are they able, and comfortable, to raise these with managers? Would workers be confident their issues and opinions are being heard and acted up on? This may be particularly important given the low trade union membership across hospitality.

5.6 Groups experiencing inequalities

This Literature Review has highlighted some of the inequalities facing female workers and migrant workers in particular. However, research into the experiences of other disadvantaged groups may be informative for the Inquiry.

5.7 Experience of Self-Employed and Freelancers

Approximately 5% of the UK hospitality workforce are classified as self-employed. However, little research has been uncovered which discussed the working experiences of this group. It may be that they face specific challenges to gaining fair work, which requires targeted investigation.

5.8 Brexit and Covid-19's long term impacts

The long-term impacts of Brexit and the Covid-19 pandemic continue to be revealed. While circumstances remain unstable and uncertainty high, there will be interest to observe the Industry's recovery and long-term impacts on the workforce.

6. Recommendations for the Inquiry

Further Research to Consider

- Rapid monitoring of emerging issues – e.g. Brexit and on-going worker shortages, or impact of rising energy prices and cost of living crisis.
- International comparisons of experiences of work.

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