Reach Out and Touch Your Customers

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Abstract
[Excerpt] This study of 105 dining parties at a casual chain restaurant found that a male server received significantly larger tips when he touched the shoulder of the person paying the bill than when he did not touch the customer. This touch effect on tips was essentially the same whether the touch was for two or four seconds, and whether the customer being touched was male or female. The age of the customer, however, did have a significant effect on the extent to which the touch increased the server's tips. Young customers responded more positively to the touch than did older diners. Nevertheless, the older diners who were touched did increase their tips compared to like-aged diners who weren't touched at all. Restaurant managers' personal objections to promoting touching seem to be misguided in light of these and other experimental data, and their fears of legal repercussions from touching customers are groundless.

Keywords
customer relations, touching, dining, tips

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Comments
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Reach Out and Touch Your Customers

A casual but intentional touch of a customer's shoulder by the server increased his tips and, by extension, perhaps enhanced the overall dining experience for the customer.

Nonverbal communication is an important topic for the hospitality industry because the nonverbal messages that customers receive from service employees can have more potent effects than those workers' verbal messages. For example, one researcher reported that nonverbal actions have five times more effect than do verbal messages on judgments of a communicator's friendliness and liking for the message recipient.1 To the extent that restaurant and other managers care about the messages that they send to customers, those managers need to improve their understanding and management of nonverbal communication.

One nonverbal behavior that has received little attention within the industry is touching. Managers often encourage employees to establish eye contact with customers, to smile...

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at customers, to nod their heads affirmatively when selling to customers, and even to squat down next to customers’ tables. However, managers rarely (if ever) encourage employees to touch their customers. We think that this is unfortunate, because touching is a powerful way to communicate our caring and liking for one another.

One reason touching is not encouraged within the industry is that many managers fear their customers might react negatively to being touched. However, previous research suggests that such fears are ungrounded and that consumers respond positively, not negatively, when touched by employees who are serving them. In retail settings, briefly touching customers has been shown to increase customers’ shopping times and purchase amounts and to improve those shoppers’ store evaluations. Similar effects have also been observed in hospitality settings. Restaurant customers who were briefly touched by a server were found to evaluate both the server and the restaurant more favorably and to leave the server larger tips than did untouched diners.

The research on employee touching of customers has found that consumers’ positive reactions to being touched are unaffected by the sex of the customer or of the employee, and are also unaffected by the type or geographic location of the retail setting. However, it is not clear whether a positive customer reaction can be generalized to different touch durations or to different customer age groups. Our current research begins to explore those uncertainties.

Existing research on touching in commercial settings has involved touches that were described as “brief” or as lasting only one to one-and-one-half seconds. It is possible, therefore, that touches of longer duration would produce different results. According to Argyre, the ability of touch, gaze, proximity, and other nonverbal behavior to elicit a positive customer response occurs “...only up to a point: there is a normal and comfortable range for each of these variables, and a person who comes too close or gazes too much, produces increased, physiological arousal and is liked less.” We wondered what the normal and comfortable range of touching in commercial settings might be. Specifically, we wanted to know whether touching customers for more than a second or two might backfire and provoke negative rather than positive reactions from customers.

Furthermore, we recognized that no existing study of touching in commercial settings examined age differences in consumers’ reactions to being touched. We speculated that, because consumer attitudes are often formed early in life and because hospitality service has become more casual over time, older consumers may prefer more-formal server–customer interactions than do younger consumers. If so, then older consumers may react less positively to being touched by servers than do younger consumers.

Our study examined the two issues discussed above. We sought to determine whether the age of the customer influenced the customer’s reaction to being touched and whether a long versus a short touch created some difference in the customer’s reaction to being touched. Knowledge about such effects would help servers decide whom to touch and for how long. It would also help managers develop appropriate policies and training programs concerning employee touching of customers.

Testing the Touch

We tested the effects of touching customers for more than a second or two and the effects of touching both younger and older customers. An Asian-American waiter at a Bennigan’s restaurant in Houston randomly assigned his customers to receive a brief touch, a prolonged touch, or no touch at all. Our goal was to examine the effects of touches that were longer than those touches previously tested, but that were still within the range of realistic server behaviors. Thus, the brief touch lasted approximately two seconds (silently counted as one-Mississippi, two-Mississippi) while the prolonged touch lasted approximately four seconds (silently counted as one-Mississippi, two-Mississippi, three-Mississippi, four-Mississippi). The waiter touched his customers on the shoulder while delivering the check at the end of the meal. He also recorded each subject’s bill size, tip amount, and touch condition (i.e., brief, long, none), as well as his or her sex, race (white or nonwhite), and age category (young to middle age or
emsically the same results.—ML and J-M. L condition—so our treatment of those outliers did not positively bias our tests of the touch effects. Furthermore, robust regression analysis performed on the original data produced three of the four modified observations came from extreme values ranging from 38 to 61 percent. Those four extreme values were over 2.5 standard deviations from the mean, so they were statistically significant outliers.

The dependent measure used in our analysis was tip amount as a percentage of the bill. The size of the subject’s bill (X = 21.28, sd = 12.36). The size of the tip left by the subject (X = 2.66, sd = 1.62). The size of the subject’s bill (X = 21.28, sd = 12.36).

Identification and Treatment of Outliers
The dependent measure used in our analysis was tip amount as a percentage of the bill—in the accompanying article called “tip percentage” or “percent tip.” A frequency distribution of this variable showed a large discontinuity after values of 26 percent—there were four extreme values ranging from 38 to 61 percent. Those four extreme values were over 2.5 standard deviations from the mean, so they were statistically significant outliers. To prevent those outliers from having a disproportionate effect on our analyses, we reassigned them a value of 26 percent. This procedure also reduced problems with unequal variances in the experimental conditions. All of the analyses reported in Exhibit 2 were performed on the modified data. Three of the four modified observations came from touch conditions—one from the brief-touch condition and two from the prolonged-touch condition—so our treatment of those outliers did not positively bias our tests of the touch effects. Furthermore, robust regression analysis performed on the original data produced essentially the same results.—M.L. and J-M.L.

Findings and Implications
We found that customers tipped significantly more when touched than when not touched, and that the duration of the touch had no effect on tipping. Percentage tips increased from an average of 11.5 percent in the no-touch condition to an average of 14.9 percent in the brief touch and 14.7 percent in the prolonged-touch conditions (see Exhibit 2). This study’s findings about the effects of employees’ touching customers replicates findings from at least three previous studies. Together, these studies suggest that hospitality managers should encourage their employees to physically touch customers—doing so will increase customer satisfaction and employee tips.

Our finding that even four-second touches increase tips suggests that hospitality managers and employees need not fear that they might accidentally touch customers for too long. Obviously, excessively prolonged touches could evoke negative reactions. However, it is extremely unlikely that a server would accidentally touch a customer for more than four seconds. Indeed, four seconds is a long time when touching a stranger. To get a sense of just how long four seconds is in this context, we encourage readers to try touching a casual acquaintance while silently counting one-Mississippi, two-Mississippi, three-Mississippi, four-Mississippi. Since the duration of the touch had no effect on tipping, we collapsed the two touch conditions when assessing the

Compute this.
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The generalizability of touch effects across the sex and age of the customer (see Exhibit 2). Our analysis indicates that touching increased the tips of men and women equally. That is, touching increased men’s average tips from 10 percent to 14 percent and increased women’s average tips from 12.6 percent to 15.5 percent. This finding replicates the results of another study that also found no sex difference in the effects of touch on tipping. However, both of these studies involved touching the person paying the bill. When other members of the dining party are considered, research suggests that touching the female companions of male customers enhances tips more than does touching the male customers themselves.

Age effect? Yes. Though tipping was not influenced by the touched customers’ sex, the customers’ age did have an effect. Young customers responded more positively to being touched than did older customers. Touching increased the average tips left by young customers from 10.9 to 17.7 percent, but only increased the older customers’ tips from 11.9 to 13.7 percent. This finding suggests that hospitality workers should be particularly inclined or encouraged to touch young customers. However, it does not mean that hospitality workers should take a hands-off approach to older customers, because touching the older customers did increase their tips too.

Age x touch interaction

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Crusco and Wetzel, pp. 512–517.


For older customers, the mean difference in percentage tips between the touch and no-touch conditions was only marginally significant ($F(1,67) = 2.15$, one-tailed $p < .08$). The proportion of older consumers who left tips above the median, however, was significantly larger in the touch condition than in the no-touch condition (proportion = 20/34 versus 12/35; $X^2 [1] = 4.18$, $p < .05$).
Exhibit 3

The legal repercussions of touching customers

A common reaction by managers to the suggestion that servers touch customers is, "We can't ask them to do that; it's illegal and we'll get sued." When asked to elaborate, managers usually cite sexual harassment and battery as the legal issues that worry them. While in today's litigious society it makes sense to be wary of creating causes of action for potential plaintiffs, we are confident that from a legal and practical standpoint employers can take advantage of the findings of our research without exposing themselves to liability. Here's why employers should not fear lawsuits based on either sexual-harassment or battery charges.

In recent years, lawsuits alleging sexual harassment have become so commonplace that people often forget that cause-of-action arises out of a statute, the Civil Rights Act of 1964. Title VII of the Civil rights Act of 1964 prohibits employment discrimination because of sex, race, color, religion, and national origin. As explained more fully below, the prohibition against sexual harassment arises out of Title VII's prohibition of discrimination based on sex. Title II of the Civil Rights Act of 1964 prohibits discrimination in public accommodations, including hotels and restaurants based on race, color, religion, and national origin. Discrimination based on sex is not mentioned. Accordingly, in Seidenberg v. McSorley's Old Ale House, Inc., the Southern District Court of New York held that Title II did not make it unlawful for a bar to refuse to serve woman. If there is no cause of action for sexual discrimination under Title II, then there can be no cause of action for sexual harassment under this section. Indeed, we have found no case where a customer has successfully brought a sexual-harassment claim against a restaurant under Title II. However, this does not mean that there is no possibility of such a lawsuit. There may be a state or local law that prohibits sexual harassment in public accommodations. Even if there is no such law, there still is a possibility of a sexual-harassment lawsuit.

The McSorley's court held that because the bar derived an economic benefit from the state's granting of a liquor license, the bar was bound by the laws that apply to government entities. Specifically, McSorley's held that the bar had to comply with the Equal Protection Clause of the United States Constitution, and with Section 1983 of the Civil Rights Act of 1964. Courts have held that both the Equal Protection Clause and Section 1983 prohibit sexual discrimination and sexual harassment. In defining what constitutes sexual harassment, the courts look to the precedents established in Title VII cases. Thus, it is possible that restaurants serving liquor or those in jurisdictions with certain local laws could be sued by customers for sexual harassment. However, such a case would not be successful because the conduct is not severe enough to violate the law.

Sexual harassment? In Mentor Savings Bank v. Vinson and Harris v. Forklift Systems, Inc., the Supreme Court held that there are two forms of sexual harassment: (1) quid pro quo (e.g., sleep with me or you're fired) and (2) hostile environment. The court defined a "hostile environment" as conduct that is (a) sexual in nature and (b) so severe or pervasive that a reasonable person would find that it unreasonably interfered with the individual's work performance or created an intimidating, hostile, or offensive working environment. The Harris court explained that: "Conduct that is not severe or pervasive enough to create an objectively hostile or abusive environment—an environment that a reasonable person would find not hostile or abusive—is beyond Title VII's purview." In analyzing unwanted touching, courts have held that conduct significantly more severe than that which we propose would not constitute sexual harassment even when accompanied with other unwanted actions. For example, in Scott v. Sears, Roebuck & Co., the plaintiff alleged that a co-worker slapped her on the buttock. She also alleged that when she asked for advice or assistance, the reply would often be, "What will I get for it?" Finally, a co-worker told the plaintiff that she must moan and groan while having sex. The Scott court found that those charges were not sufficient to make out a claim for sexual harassment. Similarly, in Ebert v. Lamar Truck Plaza the court held that unwelcome touching was not actionable when it was sparse and not pervasive. Based on those cases, it is clear that a four- or five-second touch on the arm would not create a cause of action for sexual harassment.

It is possible, however, that an employee could allege that a company policy to touch customers would create a hostile environment. Again, there are no such cases and the cause of action is a reach because the conduct is benign, it is not sexual, and it is not based on sex. However, employers could easily avoid any problems by explaining that the touching policy is optional, that employees are under no obligation to touch customers, and that there will not be reprisals for those who do not touch customers.

Battery? As with sexual harassment, there is no reason to fear a lawsuit for battery. Under the restatement of torts, an actor can be liable for battery if the contact is either harmful or offensive. To be harmful or offensive, (1) the actor must intend to do harm or offend, or (2) there must be actual harm or offensive conduct. A touch on the shoulder or arm cannot cause such harm. In a paraphrase, offensive conduct can be defined as "that which would offend an ordinary person who is not unduly sensitive as to personal dignity; it must be a contact that is unwarranted by the social standards prevalent at the time and place at which it is inflicted." Clearly, a touch from a server does not satisfy this definition of battery. Accordingly, there are no cases where a customer has sued a server or the employer for a touch. However, if there were such a case, a restaurant owner should still not be concerned because the damages would be based on the person's injury. The touch we suggest would not result in a damage award of any consequence.—D.S.S.

3 Ibid.
4 Ibid.
5 See Harris at 370.
6 Scott v. Sears, Roebuck & Co., 798 F.2d 210 (7th Cir. 1986).
7 Ebert v. Lamar Truck Plaza, 878 F.2d 338 (10th Cir. 1989).
8 The Restatement (2d) of Torts states as follows:

§ 13 Battery: Harmful Contact
An actor is subject to liability to another for battery if (a) he acts intending to cause a harmful or offensive contact with the person of the other or a third person, or an immediate apprehension of such a contact, and (b) a harmful contact with the person of the other directly or indirectly results.

§ 18 Battery: Offensive Contact
An actor is subject to liability to another for battery if (a) he acts intending to cause a harmful or offensive contact with the person of the other or a third person, or an imminent apprehension of such a contact, and (b) an offensive contact with the person of the other directly or indirectly results...

§ 19 What Constitutes Offensive Contact
A bodily contact is offensive if it offends a reasonable sense of personal dignity.

Comment:
In order that a contact be offensive to a reasonable sense of personal dignity, it must be one which would offend the ordinary person and as such one not unduly sensitive as to his personal dignity. It must, therefore, be a contact which is unwarranted by the social usages prevalent at the time and place at which it is inflicted.
Race effect? Unknown. Unfortunately, there were not enough nonwhite customers to make meaningful assessments of race differences in reactions to being touched.

Common Objections
Hospitality educators and managers often voice two objections to encouraging employees’ touching customers. First, they argue that they themselves do not want to be touched by restaurant servers and neither do other people whom they have asked about being touched by servers. Here is an example of people’s self-insights and self-reports being inconsistent with experimental data. The critics of touching seem to be willing to give greater credence to their personal opinion than to objective findings. However, a substantial body of research in psychology indicates that people are often unable to accurately predict or explain their own attitudes and behavior.12 Like the cat in Dr. Seuss’s Green Eggs and Ham who “knew” he hated green eggs and ham until he tried it (and liked it), people often assume that they will react more negatively to things than is actually the case. The common wisdom about being touched by hospitality workers may be one of those things.

Second, some skeptics argue that encouraging employees to touch customers opens a company to potential lawsuits from customers who object to being touched. Since it takes only one such customer to file a lawsuit, these critics contend that encouraging employees to touch customers is just too risky to be recommended. We researched the validity of this argument and concluded that there is no legal basis to support this perceived risk (see Exhibit 3).

Encouraging employees to touch customers cannot cause a company to risk losing sexual-harassment suits from customers because the conduct we are encouraging is not severe or pervasive enough to violate the law. Actually requiring employees to touch their customers might provide the basis for an employee to file a sexual-harassment suit, but this potential problem can be avoided if managers make it clear that touching customers is only being recommended and is not required.

It’s possible that a customer who objects to being touched might file a battery suit against a company that encouraged touching. However, the nature of the touch that we suggest is neither harmful nor offensive enough to make out a successful claim for battery. Moreover, damages in a battery suit depend on the harm done, and the harm inflicted by a brief, casual touch such as we’re advocating is nonexistent, or negligible at best. With little to gain from such a lawsuit, we can’t imagine a consumer pursuing a battery suit over being touched. In fact, we could find no case of a customer’s suing either a restaurant or a restaurant server on the grounds that the customer was touched by a restaurant employee.

Our results, along with those of previous research, suggest that hospitality managers could benefit from having their employees touch customers, as customers will feel more welcome and appreciated and larger servers’ tips will increase employee morale and reduce turnover.

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