

Phillips & Associates Files Three Federal Sexual Harassment Lawsuits for Former Hosts at New York Restaurant Semma

Phillips & Associates addresses sexual harassment and retaliation in New York restaurants, including how manager power can affect workers' income.

NEW YORK, NY, UNITED STATES, August 27, 2026 /EINPresswire.com/ -- New York employment law firm highlights sexual harassment, manager power, and retaliation affecting restaurant and hospitality workers

[Phillips & Associates](#), a Chambers-ranked New York employment law firm representing employees exclusively, has filed three separate federal lawsuits on behalf of former Semma hosts Charlotte Swett, Tessa Tookes, and Nina Zhuo, alleging sexual harassment, discrimination, retaliation, and misuse of restaurant security cameras at one of New York City's most celebrated restaurants.

The lawsuits, Swett v. Unapologetic Foods LLC et al., No. 1:26-cv-06382; Tookes v. Unapologetic Foods LLC et al., No. 1:26-cv-06385; and Zhuo v. Unapologetic Foods LLC et al., No. 1:26-cv-06386, were filed July 27, 2026, in the United States District Court for the Southern District of New York against Unapologetic Foods LLC and Tapestry Management LLC.

The complaints assert claims under Title VII of the Civil Rights Act of 1964, the New York State Human Rights Law, and the New York City Human Rights Law.



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Restaurant Workers Facing Sexual Harassment?

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Restaurant workers often depend on the same manager for their schedule, their section, their hours, their income, and their opportunity to advance”

William K Phillips

Sexual harassment in restaurants and hospitality workplaces can involve a particularly significant power imbalance because managers may control the conditions that directly determine an employee’s income.

A restaurant manager may control schedules, sections, hours, promotions, tip opportunities, assignments, and whether an employee continues working.

When the same manager begins asking an employee for dates, sexual favors, or other sexual attention, rejecting those advances may carry an economic consequence.

Retaliation in a restaurant does not always begin with termination. It may appear as fewer shifts, a less profitable section, earlier cuts, reduced hours, lost responsibilities, or diminished opportunities after an employee rejects advances or reports sexual harassment.

“Restaurant workers often depend on the same manager for their schedule, their section, their hours, their income, and their opportunity to advance,” said William K. Phillips, Founder and Managing Partner of Phillips & Associates. “When that manager begins pursuing an employee sexually, the issue is not simply whether someone was hit on at work. The question is what power that person had over the employee’s livelihood and what happened when the employee said no.”

The three lawsuits center on allegations involving Santo Pesantez, who served as Director of Operations for Unapologetic Foods restaurants and as interim manager at Semma.

According to the complaints, Pesantez exercised authority over restaurant employees and had influence over scheduling, promotions, and day-to-day working conditions.

Across the three complaints, the plaintiffs allege sexualized and racially charged comments, unwanted advances, inappropriate physical contact, and retaliation after objecting to or reporting the conduct.

The complaints further allege that senior employees were aware of aspects of Pesantez’s conduct before Swett, Tookes, and Zhuo jointly reported him to Human Resources on January 22, 2026.

“We are honored to represent Charlotte, Tessa, and Nina. Coming forward about sexual harassment is difficult in any workplace. It can be especially difficult in the restaurant industry when the person accused of misconduct has power over your shifts, your income, your advancement, and whether you continue working there,” said Brittany A. Stevens, Partner at

Phillips & Associates. "These women allege that they spoke up despite that power imbalance and that the employer already had reason to know there was a problem."

The lawsuits also contain unusual allegations concerning restaurant surveillance systems.

According to the complaints, Pesantez allegedly accessed security cameras at Unapologetic Foods restaurants to watch female guests he found attractive.

The complaints allege that this included a well-known movie actress whom Pesantez allegedly watched through Adda security cameras on his phone while he was working at Semma.

The actress is not accused of any wrongdoing and is referenced only as a restaurant guest whom the complaints allege was monitored.

The allegations have not been adjudicated, and the defendants are entitled to respond to them in court.

Restaurant sexual harassment and retaliation cases often turn on evidence controlled by the employer, including schedules, payroll and tip records, text messages, HR complaints, surveillance footage, prior complaints, and records showing what management knew.

In restaurant retaliation cases, scheduling records can be especially important because retaliation may appear as fewer shifts, worse sections, earlier cuts, or reduced hours rather than an immediate termination.

Phillips & Associates represents restaurant and hospitality employees in New York sexual harassment, quid pro quo harassment, hostile work environment, discrimination, and retaliation cases involving managers, owners, supervisors, coworkers, and customers.

Representative restaurant and hospitality matters handled by the firm include:

- \$400,000 restaurant sexual harassment and retaliation settlement in a matter litigated in federal court;
- \$285,000 restaurant sexual harassment settlement for a chef who alleged harassment by supervisors and a customer; and
- \$275,000 restaurant discrimination and retaliation settlement involving an owner who controlled employee scheduling.

Prior results do not guarantee a similar outcome. Every case depends on its individual facts, evidence, damages, applicable law, and litigation risk.

Phillips & Associates has litigated approximately 2,000 employment cases and recovered more than \$360 million for employees.

The firm's attorneys have appeared before more than 110 United States District Judges and more than 70 United States Magistrate Judges and have litigated against more than 550 distinct management-side defense firms.

Phillips & Associates represents employees only and has never represented an employer.

The firm combines the resources of a substantial plaintiff-side employment practice with partner-led, boutique-style representation. Accepted matters are handled by dedicated litigation teams led by partners and senior litigators, with attorneys and paralegals working collaboratively in the office.

Phillips & Associates has also obtained jury verdicts, appellate victories, and published employment-law decisions, including the Second Circuit's decision in *Vasquez v. Empress Ambulance Service*, addressing retaliation and the cat's paw theory of liability.

The firm is recognized by Chambers and Partners in the 2026 Chambers USA Guide for Labor & Employment: Mainly Plaintiffs in New York and has also received recognition from Best Lawyers and Best Law Firms.

Restaurant workers may experience sexual harassment from managers, owners, supervisors, coworkers, or customers.

Common situations may include:

- a manager repeatedly asking an employee for dates;
- requests for sexual favors or sexual attention;
- unwanted touching;
- sexual comments about an employee's body or appearance;
- pressure to socialize privately with a supervisor;
- promises of better shifts or opportunities connected to personal attention;
- reduced hours or worse sections after rejecting advances;
- retaliation after reporting harassment;
- customer harassment that management knows about but fails to address; and
- workplace relationships in which a supervisor controls the other employee's schedule, income, promotion opportunities, or continued employment.

These cases are often not simply about whether inappropriate conduct occurred.

They are also about workplace power.

A manager who controls an employee's schedule may control that employee's income. An owner may determine who works the most profitable shifts. A supervisor may influence promotions or continued employment.

That authority can affect whether an employee realistically feels free to reject advances or report sexual harassment without risking economic consequences.

Phillips & Associates represents New York restaurant and hospitality workers in matters involving those power dynamics, including sexual harassment, quid pro quo harassment, hostile work environment claims, retaliation through scheduling, workplace relationships involving supervisors, and harassment by customers or other third parties.

Phillips & Associates is a Chambers-ranked New York employment law firm representing employees exclusively in sexual harassment, retaliation, discrimination, whistleblower retaliation, hostile work environment, workplace relationship, and other career-impacting employment matters.

The firm has litigated approximately 2,000 employment cases and recovered more than \$360 million for employees. Phillips & Associates combines the resources of a substantial plaintiff-side employment practice with partner-led, boutique-style representation and dedicated litigation teams.

The firm represents employees in New York City, Long Island, and throughout New York, including restaurant and hospitality workers facing sexual harassment or retaliation by managers, owners, supervisors, coworkers, or customers.

For information concerning sexual harassment and retaliation affecting New York restaurant and hospitality workers, visit:

<https://www.newyorkcitydiscriminationlawyer.com/sexual-harassment-by-industry/restaurant-industry/>

For information regarding the Semma lawsuits and links to the filed complaints, visit:

<https://www.newyorkcitydiscriminationlawyer.com/blog/2026/august/phillips-associates-files-three-federal-sexual-h/>

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