



OXFAM RESEARCH REPORT

# LIVES ON THE LINE

THE HUMAN COST OF CHEAP CHICKEN



**OXFAM**  
America

## ENDORSEMENTS

"In this groundbreaking report, Oxfam exposes an underappreciated cost of chicken production in this country: the hazards poultry workers face. After decades of industry cost cutting and undermining worker protections, poultry workers today are among the most exploited and vulnerable. We hope this report will motivate people across the country to call on Tyson, Pilgrim's, Perdue, and Sanderson Farms to improve working conditions and make their sector more transparent and accountable. Putting food on the table today shouldn't cost lives."

*Frances Moore Lappé and Anna Lappé, founding principals, Small Planet Institute*

"For over 50 years, I've worked with my brothers and sisters in the effort to improve conditions and wages for farmworkers in the US. Just as the people who harvest our fruits and vegetables deserve justice, dignity, and fair compensation, so do other workers in the food system, including those who process the chickens that feed our families. I welcome this new effort to expose the conditions inside poultry plants, and to raise the voices and concerns of poultry workers."

*Dolores Huerta, pioneering labor leader and co-founder of United Farm Workers*

"The integrity of America's food supply is only as strong as each of the links in the food supply chain. Alongside our abundant, safe and reasonably priced food, we need to ensure our food is produced under fair and safe working conditions. This report makes practical recommendations for improving the conditions for thousands of workers in America's poultry industry. I welcome Oxfam's creative thinking, and their strong commitment to innovation via public-private partnership to address the critical issues."

*Dan Glickman, Former Secretary, United States Department of Agriculture*

"Treating employees well is not only important for creating shareholder value, it's also a major indicia of corporate social responsibility. When employees suffer, profit and reputation are bound to follow. When employees are denied a voice, management often makes sub-optimal decisions. The industry leaders featured in this report have an opportunity to create long-term shareholder value by seizing opportunities and managing the risks related employee well-being, a critical aspect of sustainable business."

*Andrew W. Savitz, Author of Talent, Transformation and the Triple Bottom Line*

"Over the years, I have heard from women and men in Mississippi who have suffered debilitating injuries working in our state's poultry processing plants. These workers repeat the same motions thousands of times a day with few breaks. When they start to feel the consequences of this labor, such as disabling pain in their hands and arms, they may be fired with little recourse or hope. These people do vital work that has propelled a thriving industry to be the largest poultry producer in the world. This report is an important step toward recognizing the hard work they do, and in making concrete steps toward changing the conditions under which they work."

*Congressman Bennie G. Thompson (Mississippi)*

"Oxfam should be commended for exposing the true cost of poultry processing on worker health and safety. These workers are providing food to millions of Americans, yet don't receive a living wage, paid time off, retirement security, or strong worker safety protections. By highlighting these conditions—and naming the companies responsible for them—Oxfam continues its long tradition of exposing problems in our global food system and supporting America's food workers."

*Danielle Nierenberg, President of Food Tank*

"The poultry industry is booming in line with growing consumer demand. Lately, they have been charging higher prices, reporting record profits, and paying their executives more and more. But wages and conditions have not improved for those stuck at the bottom: our nation's 250,000 poultry plant workers. These workers are disproportionately likely to come from populations with few other options for finding work, and their average wages are at or below the federal poverty level for a family of four. The latest Department of Labor statistics show that poultry workers suffer five times more occupational illnesses than the average employee. Four in 10 poultry workers show signs of carpal tunnel syndrome—six times the average.

The Oxfam report offers a window into the harsh conditions employees face in many factories right here in America. It illustrates the way this industry is abusing its workers. It does not take care of them if they become sick, injured, or disabled. Instead, it replaces them, and the cycle of misery starts over. I commend them for bringing pressure to bear on the industry to clean up its act. Workers simply cannot wait any longer."

*Congresswoman Rosa L. DeLauro (Connecticut)*

"When consumers bring a piece of chicken up to their mouths, I hope they think about the sacrifices made by the workers. Our work is not valued, and our rights are violated... The companies do not treat the workers well."

*Roberto, Poultry Worker in Arkansas*

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## ACKNOWLEDGEMENTS

Oxfam America consulted numerous experts and advocates about the realities of life for poultry processing workers in the US today. We are grateful for their knowledge, commitment, and willingness to share their expertise.

The following people were particularly generous with their time:

Christopher Cook

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The staff at the Northwest Arkansas Workers' Justice Center

The staff at the Western North Carolina Workers' Center

The staff at Southern Poverty Law Center

United Food and Commercial Workers

## A COALITION WORKING FOR CHANGE

Oxfam America has been working with a number of organizations devoted to improving conditions for poultry workers across the US.

Center for Progressive Reform

Coalition of Black Trade Unionists

Greater Minnesota Worker Center

Interfaith Worker Justice

National Council of La Raza

Nebraska Appleseed

Northwest Arkansas Workers' Justice Center

Southern Poverty Law Center

United Food and Commercial Workers

Western North Carolina Workers' Center

## METHODOLOGY

This report is based on research conducted by Oxfam America from 2013 to 2015.

The research entailed literature and primary document review and interviews to provide an empirical description of the status of US poultry workers.

Oxfam America staff traveled to Mississippi, North Carolina, and Arkansas to conduct dozens of semi-structured interviews with current and former workers, worker advocates, attorneys, medical experts, analysts, and others in the communities.

Our report benefits from work conducted by government agencies and non-profits over many years; in all, they surveyed over a thousand current and former poultry workers. In addition, our research team reviewed more than 200 works about the industry, from books to medical research. Still, a great deal of information about the industry remains unavailable (such as compensation and demographics).<sup>1</sup>

Oxfam America reached out to all companies named in this report to share the findings of our research and engage them in dialogue about solutions. Tyson Foods was the only company that responded. The company cited a number of policies (some public and some not) that address issues raised in this report. This report incorporates that feedback.

# INTRODUCTION

Chicken is the most popular meat in America, and consumption grows every year. The poultry industry sells 8.5 billion chickens annually, at a wholesale value of \$50 billion.<sup>2</sup> Poultry is an industry on the rise: Profits are climbing, consumer demand is growing, products and brands are expanding, and executive compensation is increasing rapidly.

But there is one element that remains trapped at the bottom: the workers on the poultry processing line. Poultry workers earn low wages of diminishing value, suffer elevated rates of injury and illness, toil long hours in difficult conditions, and have little voice, opportunity or dignity in their labor. The industry considers them a disposable commodity that can be injured and replaced, a silent and pliant element that can be controlled (or let go).

While Americans annually consume up to 89 pounds of chicken per capita,<sup>3</sup> the industry is squeezing profits and productivity out of these workers. For every dollar consumers spend on a McDonald's McNugget®, only about two cents pays for the labor in the processing plant.<sup>4</sup> Those workers hang, cut, trim, bread, freeze, and package those chickens—and they get 2 percent of the sale price.

Moreover, in the rush to produce more chicken, the industry has ratcheted up the heat on these workers. Processing line speeds today are twice as fast as they were in 1979.<sup>5</sup>

The pace today churns out a lot of chicken, but it also churns through a lot of human beings. Since the turnover rate is extraordinarily high, the industry needs to find new pools of workers on a continual basis.<sup>6</sup> The industry taps into marginalized and vulnerable populations; of roughly 250,000 poultry workers, most are people of color, immigrants, or refugees, with a significant number of women.<sup>7</sup>

Many poultry workers do not have a platform to speak out about the realities of life inside the poultry plants. They are disenfranchised and intimidated, and often end up injured or disabled and on the street.

This report seeks to pull back the curtain on the poultry industry's labor practices, to show what goes on inside the plants that have become ever larger, more industrialized, and more secretive.

## WHAT HAPPENS BEHIND THE WALLS

Each day, millions of chickens are caught, trucked to factories, hung and slaughtered, processed into pieces, and packaged. Most of this work happens on the processing line. The line is the force that keeps up production and that needs to run constantly, hour after hour, day after day. The line positions workers in the same spot every day, and runs thousands of chicken by in a relentless stream. The faster the line can run, the larger the production and the higher the profits.

A worker stays in place on the line, and the line keeps going. If a worker slows down or tries to stop the line, the company often disciplines or lets the worker go, and finds another one less likely to speak out. On the line, workers suffer high rates of illnesses and injuries, earn low pay, and enjoy little or no job security.





The poultry industry relies on the line in plants across the country to process 8.5 billion chickens every year. Each worker stands at the line for hours on end, performing the same motions over and over—a conservative estimate is 20,000 motions per shift.<sup>8</sup> Workers are unable to pause or slow down for even a few seconds. The incidence of repetitive strain injuries is shockingly high.

*John D. Simmons / The Charlotte Observer*

These are tough jobs. But the industry does little to make it easier for these workers to endure. In fact, it does not do enough to protect workers, compensate them fairly, or take care of them once they're injured or disabled.

The companies say they treat their workers well. They say injury and illness rates have declined.

The truth is quite different, as this report outlines.

- Workers earn low wages (around \$11 per hour) with scant benefits.<sup>9</sup> And the real value of wages has declined dramatically—almost 40 percent since the 1980s.<sup>10</sup> Meanwhile, compensation for poultry executives is soaring: The president and CEO of Tyson earned \$12.2 million in 2014—550 times what the average poultry worker makes.<sup>11</sup>

**For every dollar spent on a McDonald's McNugget®, only about two cents pays for the labor in the processing plant. Those workers hang, cut, trim, bread, freeze, and package those chickens—and they get 2 percent of the sale price.**

- Workers suffer extremely high rates of injury and illness, especially repetitive strain injuries from the tens of thousands of processing motions each day. Government statistics put the rate of carpal tunnel syndrome among poultry workers at seven times the national average.<sup>12</sup>
- Many workers are afraid to speak up and advocate for better treatment. Companies increasingly turn to “a variety of economically desperate and socially isolated populations,”<sup>13</sup> many of whom face obstacles that prevent them from standing up and speaking out about abuses in the workplace. In the words of many, the industry takes advantage of workers who live and work in a climate of fear.

About a third of all poultry workers are represented by unions, most by the United Food & Commercial Workers (UFCW), which provides them with vital representation in the workplace. This percentage is much lower than in the beef and pork industries.

## IT'S TIME TO IMPROVE CONDITIONS FOR POULTRY WORKERS

A quarter of a million people work in a profitable industry that provides the most popular meat in the country to millions of consumers. Yet they do not share in the bounty. It's time for industry, the government, and consumers to take action for vital changes.

Each has a role to play in this effort. The industry has the obligation to make changes that could greatly improve conditions for its employees. The government has the responsibility to enact and enforce greater oversight. And consumers have the power to speak out and push for changes.

The moment is right. Consumers are becoming more concerned about the supply chains that bring them their food—"from farm to fork." Many have already questioned the poultry industry about the treatment of chickens; about the use of antibiotics, and what that means for consumer health; and about general food safety issues. And consumer actions have pushed the industry to change: Tyson, Pilgrim's, and Perdue recently pledged to phase out the use of antibiotics from their chicken supply chain.<sup>14</sup>

What has been sorely lacking in these efforts is consideration of the workers who bring the chickens to our plates.

## RECOMMENDATIONS

The top four chicken companies control roughly 60 percent of the domestic market: Tyson Foods, Pilgrim's, Perdue, and Sanderson Farms.<sup>15</sup> These companies produce dozens of different products and market them under at least 30 different brand names.<sup>16</sup> They can and should implement changes that will improve conditions for poultry workers across the country.

These companies should change the way the industry treats workers, by:

- compensating workers fairly;
- providing a healthy and safe environment in plants, and caring for workers properly when they're injured; and
- allowing workers to have a greater voice in the workplace, ensuring they understand their rights, and providing an atmosphere of tolerance to act on those rights.

In addition, the federal government should pursue greater oversight of the industry and safeguard the health and welfare of the roughly 250,000 workers in the processing plants.



# A LIFE ON THE LINE: FIRED FOR SEEKING DIGNITY

Pedro and his mother worked at a Tyson plant in North Carolina for four years—until the day in 2014 when they were abruptly dismissed.<sup>17</sup> They were called to the office and told, “You’ve done a good job, it’s just that we’re cutting personnel.”<sup>18</sup>

Pedro—who took pride in doing his job well and knows that the plant is always looking for more workers—believes they were dismissed because they had learned about their rights, and were taking action to educate others. They had been handing out cards from OSHA (the Occupational Safety and Health Administration) with information about workers’ rights to report injuries and receive proper treatment.

Tall and broad-shouldered, Pedro speaks quietly but forcefully about conditions inside the poultry plants. His family traveled from Guatemala to North Carolina to find jobs; he worked in a furniture company in the area, until it moved away. He says, “You see all these big buildings empty. It’s just like you’re walking through a ghost town.” The only other viable option was to work in the poultry plant; he would drive three hours every day going to and from the plant, spending up to \$125 on gas each week. He believes the lack of employment options allows the company to take advantage of the workers. When the supervisors yelled at the workers to hurry up, they would say, “There are a hundred applications waiting to come in.”

Pedro worked the night shift at the plant, often more than 12 hours at a stretch, with one 30-minute break. The workers would stay until the chickens were processed, which could take until six in the morning. He cut the shoulders and pulled out the tenders (under the breast); he would stand on the

line for hour after hour in the cold. The knives would not be sharpened or replaced until their breaks, “so the knives got dull. You had to do all the motions harder and harder.” He says the speed was supposed to be 39 chickens per minute, but they increased it to 50 per minute, “way more than we were supposed to do.”

The hours of forceful, repetitive motions led to problems with his hands. He reported the pain and swelling to his supervisor, who told him to soak his hands in Epsom salt and hot water—that the pain was all in his mind. At the infirmary in the plant, the nurse told him to take ibuprofen and sent him back to the line. When Pedro finally managed to see the company doctor, he told Pedro that he had come just in time; he could have suffered permanent damage or lost a hand altogether.

Pedro informed the plant managers about his injuries, and made some requests. He asked to be moved to a different position on the line, to allow his muscles some relief. He also asked the company to file a report about his injuries, to consider workers’ compensation for his injuries, and to allow him to see a specialist. They refused every request, and threatened to fire him if he went to see his own orthopedist.

His health also suffered from the long stretches (four to six hours) without a bathroom break, and he developed a problem with his prostate. He eventually stopped drinking much water and became so dehydrated that his potassium levels dropped and he had terrible leg cramps. He notes that many people do not get breaks in time; “there’s a lot of people peeing on themselves because they would not let them use the bathrooms.”

Pedro worked the night shift at a Tyson plant in North Carolina, where he spent up to six hours at a stretch cutting chicken shoulders and pulling out tenders. The thousands of forceful, repetitive motions led to problems with his hands. “I got to the point that I used to get triple-X gloves, and they wouldn’t fit because my hands were so swollen...I couldn’t even move my fingers because they were so cramped up.” When he was finally allowed to see a doctor, he learned he was close to losing the ability to use his hands. Pedro believes he was fired for speaking out about the conditions that he and his co-workers endured. He is currently unemployed. *Mary Babic / Oxfam America*



Because the workers have no sick days and can be penalized for being out sick, Pedro would go to work with a cold, and struggle to manage his symptoms. Since the line never stops, it can be almost impossible to pause long enough to move your mask aside and blow your nose.

Pedro and his mother have witnessed many workers get injured and disabled, and end up with no recourse: no workers’ compensation and no ability to work with damaged hands. He asks, “Is it worth my health, losing a limb, losing my arms for some little bit of money and not be able to hug and carry my child, or my grandkids?”

His mother says, “We want to raise our voices. It’s not that we don’t want to work—we came to this country to fight for a better future, that’s why we left our countries—we just want to get fair and dignified treatment.”

Oxfam America conducted dozens of interviews for this report. When a person is quoted without a citation, that information came from an interview either in person or on the phone. Most interviews took place in 2015.

Most of the workers interviewed requested the use of pseudonyms out of fear of retribution. Where possible, details about their plant, job, and location have been included.

Tyson questions the statements in this account. The company says corporate policies require rest breaks (including permission to leave the line to use the restroom or sharpen knives) and commit to non-retaliation. Tyson also says they employ staff to help injured employees receive proper medical care, including access to state workers’ compensation (where eligible).

The testimony and research compiled by Oxfam, however, indicate that these policies are not implemented in practice.

# FROM FARM TO FACTORY, A STORY OF GROWTH

The US is the largest broiler (poultry meat) producer in the world.<sup>19</sup> Today's poultry industry is a modern model of efficiency, vertical integration, and consolidation. In the past 60 years, it has been transformed from thousands of small, scattered farms into an industrial powerhouse dominated by a handful of companies. Large, automated plants operate around the clock to process more than 32 million chickens each weekday (8.5 billion chickens in 2013, 50 billion pounds).<sup>20</sup> Most of the 174 processing plants in the US are located in the Southeast.

New technologies facilitated the poultry industry's rapid growth in the last half of the 20th century. Numerous automated processes replaced manual labor at various stages, including killing, de-feathering, and evisceration.

Nonetheless, manual labor still sits squarely at the center of the industry. Certain tasks must be done by hand in the plant: from hanging live chickens to cutting wings and legs to pulling breasts and trimming skin. Each worker touches thousands of birds every day.

While the industry thrives, the workforce pays the price. The work is arduous, the wages are low, the injury rate is shockingly high, and the atmosphere is oppressive.

Moreover, these workers are bearing more than their share of pressure to increase the volume of production. In the rush to produce more and more chicken, the industry ratchets up the heat on these workers. As Rey Hernandez, former executive director of the Northwest Arkansas Workers' Justice Center in Springdale, AR (the home of Tyson Foods, the largest chicken company in the country), notes, "to produce chickens at a rate that is global, it means that you have to have a workforce that really has to work hard, work fast. And a lot of times they're under-appreciated and overworked."<sup>21</sup>

## WORKERS FEEL THE HEAT TO KEEP UP WITH RISING CONSUMER DEMAND

Consumers love chicken, regarding it as a reasonably priced source of lean protein. In 1992, chicken became America's most popular meat; it now accounts for more than 40 percent of US meat consumption.<sup>22</sup> In 1950, the average American consumed about 20 pounds per year; in 2015, it's predicted to be 89 pounds; the rate is projected to increase over the next few years.<sup>23</sup>

Trends in consumption have also changed radically. Before World War II, households were likely to buy chickens live. After the war, consumers began to purchase slaughtered birds. This shifted preparation to the processing plant—and the workforce began to grow.

Americans today prefer their chicken in pieces, processed into tenders or frozen entrees for at-home consumption, or served at a restaurant. As late as 1980 most chicken was sold whole; by 2000, nearly 90 percent of chicken sold in the US had been processed into parts.<sup>24</sup> The poultry industry invests considerable energy in innovating, and is constantly adding new products, venturing into new markets, and introducing new branding. In most cases, the profit margin grows as the amount of processing increases.

And each extra processing step involves human hands: cutting, pulling, deboning, skinning, and then coating, frying, freezing, and packaging. It's not a simple task to take a live chicken and transform it into something like Perdue Fun Shapes Chicken Breast Nuggets® or Pilgrim's Honey-Dipt Chicken Strips®. As consumer demand for these products grows, "the pressure all rolls down to the person on the line," says Rey Hernandez. "And the stresses become difficult for them."

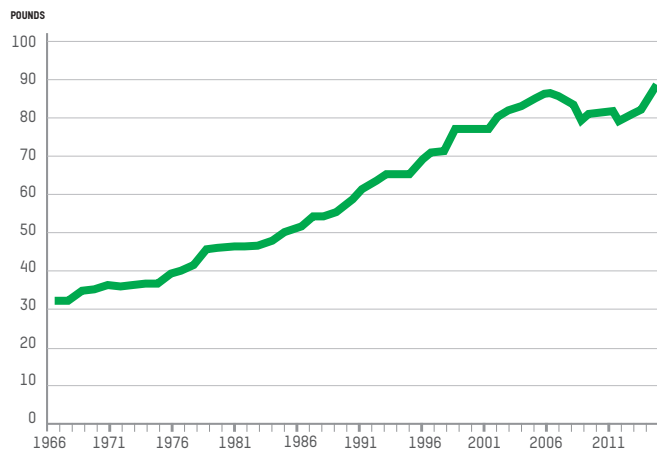


As consumer tastes in chicken have changed, the processing work has shifted from the home to the plant. In 1980, most chicken was sold whole; by 1995, 90 percent of chicken sold in the US had been cut into pieces.<sup>25</sup> Today, Americans prefer chicken cut into parts or processed into forms such as tenders or frozen entrées. Poultry companies today produce hundreds of different products. For example, just under their own brand names, Perdue sells 213 poultry items, Tyson sells 97, Pilgrim's sells 54, and Sanderson Farms sells 49.<sup>26</sup> To feed America's chicken habit, workers on the line process millions of chickens each day: hanging, cutting, pulling, and trimming.

Mary Babic / Oxfam America



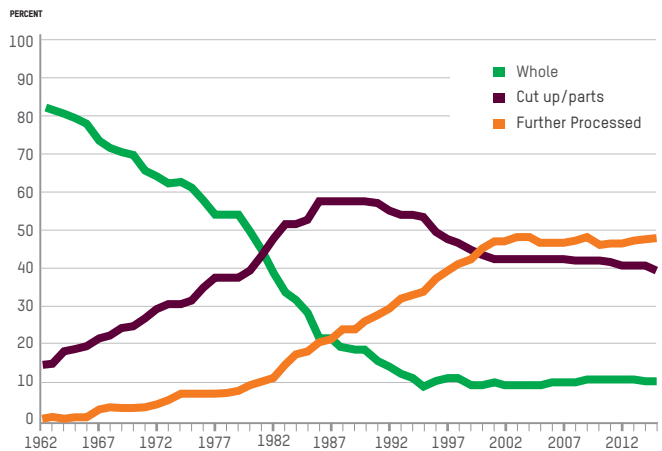
**FIGURE 1. RISE IN CONSUMPTION OF CHICKEN**



Americans' appetite for chicken has been on the rise for the past 50 years. It's predicted to reach a new high in 2015 at 89 pounds per capita, nearly triple the annual consumption in 1966.

Source: National Chicken Council, "Per Capita Consumption of Poultry and Livestock, 1965 to Estimated 2015, in Pounds," April 9, 2015, [www.nationalchickencouncil.org/about-the-industry/statistics/per-capita-consumption-of-poultry-and-livestock-1965-to-estimated-2015-in-pounds/](http://www.nationalchickencouncil.org/about-the-industry/statistics/per-capita-consumption-of-poultry-and-livestock-1965-to-estimated-2015-in-pounds/).

**FIGURE 2. CHANGING CONSUMPTION HABITS**



As consumer tastes in chicken have changed, the processing work has shifted from the home to the plant. In 1980, most chicken was sold whole; by 1995, 90 percent of chicken sold in the US had been cut into pieces. Today, Americans prefer chicken cut into parts or processed into forms such as tenders or frozen entrées.

Source: National Chicken Council, "How Broilers Are Marketed," February 7, 2011, [www.nationalchickencouncil.org/about-the-industry/statistics/how-broilers-are-marketed/](http://www.nationalchickencouncil.org/about-the-industry/statistics/how-broilers-are-marketed/).





Workers on the processing line earn an average of around \$11 per hour, leaving them below the poverty line even while working full time. Over the last 30 years or so, the real value of workers' wages has declined steadily, while executive compensation has soared. In just the last four years, compensation for Pilgrim's president and CEO rose 290 percent to \$9.3 million.<sup>27</sup> Earl Dotter / Oxfam America

## THE ECONOMICS OF THE CHICKEN INDUSTRY TODAY

In recent years, the biggest poultry companies have seen substantial increases in income and in profit margins. Tyson's profits increased 14-fold during the 1980s.<sup>28</sup> The stock price of Tyson increased 82 percent in the 12 months ending in April 2014; the stock price of Pilgrim's jumped 53 percent in the six months leading up to November 2014.<sup>29</sup>

Since about 1978, output has tripled and the size of the work force has doubled; but the real value of wages is more than 40 percent lower.<sup>30</sup> Over the past 15 years, Tyson's revenue per employee has grown 12 percent each year.<sup>31</sup>

As one expert notes, it's a "race to the bottom" to find the highest profits for the lowest costs.<sup>32</sup> While companies can't control one of the biggest variables in the business—the price of chicken feed, which depends on the price of corn—they can control the cost of labor.

## THE POLITICAL INFLUENCE OF THE POULTRY INDUSTRY

The poultry and meat industries have powerful political influence in the US, in both legislative and regulatory arenas. They reach out to key lawmakers and regulators that have direct impact on their business. The industry generally succeeds in weakening

oversight provisions and increasing industry control.<sup>33</sup> The two largest industry associations—the National Chicken Council and the American Meat Institute—have focused their efforts on opposing more stringent antitrust, labor, and environmental law enforcement, and attempts to strengthen labor and food-safety laws.

A range of tax credits and incentives are available to the industry from all levels of government. Such credits and incentives include, but may not be limited to, tax breaks, low-cost loans, workforce training grants and reimbursements. According to one report, from 1995 to the present, Tyson received about \$129 million of such tax credits and incentives; Pilgrim's, \$20 million; Perdue, \$29.2 million; and Sanderson Farms, \$18.8 million.<sup>34</sup>

The close relationship between the industry and the government plays out in other ways, as well. Contracts to provide poultry for the federal government are worth billions of dollars. Despite the fact that Tyson has faced more than \$500,000 in fines for safety violations in the last six years, the company has been able to secure \$4.2 billion in federal contracts since 2000.<sup>35</sup> These safety violations indicate gaps between Tyson's safety policies and actual implementation.



## THE URGENCY TO TURN OUT MORE CHICKEN: RATCHETING UP THE LINE SPEED

In the drive to keep up productivity, the industry leans on the processing workers. One of the starkest indicators of the rush to turn out more and more chicken is the line speed.

The phrase “line speed” refers to the maximum speed at which the evisceration line is allowed to run. Evisceration is an automated process that happens after slaughter and de-feathering. USDA sets the speed, with an eye toward ensuring food safety; they consider how effectively inspectors can check the carcasses for disease or contamination. This limit can then affect the speed of other processing lines later in the production process. It’s important to note that the actual speeds for manual tasks performed by workers on the processing line vary by plant, by task, and by product.

The current maximum of 140 birds per minute (BPM), which is set by the USDA, refers to evisceration speed for the plant. But the number of chickens each worker must process each minute (work or production speed) depends on several factors. The higher the line speed, or the fewer workers on the line, the faster each worker must operate. Workers report averaging between 35 and 45 BPM, meaning they process a chicken every two seconds—more than 2,000 chickens per hour, and more than 14,000 chickens per day. Since each job requires multiple motions, current line speeds mean the average worker repeats the same forceful motion over 20,000 times per day.<sup>36</sup>

The industry has pushed for increased line speed over the years. The upper limit on line speed has increased from 70 BPM in 1979, to 91 in 1999, to 140 today. Still, the industry continues to seek even faster line speeds: The National Chicken Council (the industry’s largest trade association) recently strongly supported a proposal by the USDA to raise the speed to 175 BPM, an increase of 25 percent.

The plant needs to process all the chickens which have been delivered that day by the end of a shift. And the pace of work sometimes alters to accommodate delays. Workers tell many stories about moments when the line was slowed or stopped (e.g., a machine needed repair), and the supervisors made up for lost time by speeding up the line. Each line is run by a supervisor, who has the capacity to slow down or speed up the line. Workers report that supervisors usually have little training, either in managing workers or running a production line to meet a quota.

Almost every poultry worker interviewed (for this report and others) mentioned line speed as the overriding force that makes their work difficult.

Roberto, a 35-year-old man who has been disabled by injuries to both hands, worked as a hanger in a Simmons plant in Arkansas. He says, “In the interview...they told me 25 per minute...Once I was working, my supervisor told me 33 per minute ... If you missed hanging one chicken, that hook would go empty—and they had already calculated how many hangers per minute and how many each one had to hang.”

Juanita, who worked the night shift at a Tyson plant in North Carolina, reports that the speed inched up as the hours went by: “As soon as the first shift leaves, around six o’clock, that’s when it speeds up and starts to get hard. You can’t stand the pain on your shoulders, your hands, because of that repetitive movement. That’s when you start hurting, rotating your hands and using the scissors in one hand and using the other for another thing. It is just too much.”

Tyson says it employs industrial engineers to set line speeds and staffing, with employee safety as a key factor. Oxfam interviewed many Tyson workers who reported line speed being too fast for safety and well-being.

### WHEN “MODERNIZING” MEANS SPEEDING UP AND PRIVATIZING OVERSIGHT

In 2012, the USDA proposed a new regulation to “modernize” the poultry slaughter inspection system. Among many provisions to loosen control in the plants, the rule proposed to replace federal inspectors with plant personnel; and to increase the poultry processing line speed (from 140 birds per minute to 175). The poultry industry, especially the National Chicken Council, promoted the new rule vigorously.

However, the move brought waves of opposition to Capitol Hill. A broad coalition of groups (including Oxfam America) launched an effort to defeat the increase in line speed. Several poultry workers traveled to Washington, DC, to speak at a press conference, and attend meetings with OSHA and the USDA, among others. One letter from dozens of consumer, labor, public health, and civil rights groups and individuals noted that, “First and foremost, proposed line speed increases will likely exacerbate food safety and worker safety issues.”<sup>37</sup>

While the rule was eventually enacted, the line speed provision was not included. The coalition welcomed the refusal to increase the speed. The National Chicken Council expressed its dismay, saying, “It is extremely unfortunate and disappointing that politics have trumped sound science.”<sup>38</sup>

## THE BIG FOUR: A FEW COMPANIES CONTROL OVER HALF THE POULTRY MARKET IN THE US

Since the 1950s, a few poultry companies in the US have come to dominate both the market and the supply chain, by acquisition and market strength. Today, the top four chicken companies—Tyson Foods, Pilgrim's, Perdue, and Sanderson Farms—control roughly 60 percent of the market.<sup>39</sup> They have extraordinary control over the production process and the market. And they set the pace for the rest of the industry, including workforce practices.

### MARKET DOMINATION THROUGH VERTICAL INTEGRATION AND THE ILLUSION OF CHOICE

Most poultry companies are almost fully vertically integrated. They own nearly every piece of the supply chain, from eggs and feed to the packaging and delivery of chicken to buyers. The only part of the chain that is contracted out is the capital-intensive and volatile “grow-out” phase.<sup>40</sup>

The top four companies produce hundreds of different products, and market under at least 30 different brand names.<sup>41</sup> For example, Tyson Foods markets hundreds of products, many of them not identified as Tyson. If you buy chicken anywhere in the US, whether it's in a grocery store, a restaurant, or a school cafeteria—you are almost certainly buying from one of these companies.

### THE TOP FOUR COMPANIES<sup>42</sup>

#### #1 TYSON FOODS

Tyson, the largest poultry company in the US, controls 23 percent of the chicken market. Tyson is the top beef and pork producer in the US, and the second largest meat producer in the world. The company was founded by John Tyson in 1947; his son Don ran the company for many years, and Don's son John is currently the chairman. Headquartered in Springdale, AR, the company has 124,000 employees spread across 57 poultry processing plants in 13 states.<sup>43</sup>

In 2014, Tyson brought in \$37.8 billion in revenue, with profits of \$856 million.<sup>44</sup> Since 2011, compensation for Tyson's chairman increased 260 percent, to \$8.8 million.<sup>45</sup>

Tyson is the only top poultry company to have a Team Members' Bill of Rights. In this document, the company commits to a safe workplace and to maintaining safety committees that include hourly employees. Tyson also commits to upholding several rights for workers: to file complaints with the plant safety committee without fear of reprisal; to claim existing state and federal benefits; to be free from discrimination and retaliation; to compensation for work performed; to information (including



the Bill of Rights and Code of Conduct), and to understand the information being provided; to choose to join together for collective bargaining; to continuing training; and to adequate equipment at no cost. Tyson's Code of Conduct elaborates further, including a pledge to provide “reasonable time for necessary restroom breaks” during production shifts and to uphold the principles of human rights.<sup>46</sup>

According to Tyson's workplace safety policy on its website, all employees are to receive detailed safety training during orientation, as well as continued training, in multiple languages. Tyson maintains that many of its facilities have safety and ergonomic committees and include full-time safety managers and occupational health nurses. All Tyson employees receive health insurance, but hourly workers do not receive paid sick leave.

Tyson has established a 24-hour confidential and anonymous hotline for complaints, and has a policy to discipline anyone who retaliates against an employee. Tyson requires any worker who is injured to report it; the company's policy states that “corporate health and safety professionals visit each facility at least once a year and conduct a compliance audit every two years.”<sup>47</sup>

Tyson informed Oxfam that the company had commissioned a wage survey that found it pays wages which exceed those of its competitors in the poultry industry. However, Oxfam could not verify the results of the survey. Tyson also stated that it employs industrial engineers to determine appropriate speed and staffing of production lines, with safety as a key factor. This practice is not public, nor are the standards used to set staffing and line speed. Finally, Tyson stated that facility management teams conduct annual reviews to measure injury and illness rates, average lost and restricted days per case, workers' compensation costs, absenteeism rate, and turnover, among other factors. This information is not made publicly available, so Oxfam was unable to examine the methods employed, the standards used, or the data collected.

Oxfam's research revealed conditions that do not meet Tyson's publicly stated standards and policies. Oxfam conducted interviews with Tyson workers in multiple states and reviewed records of documented labor violations in Tyson plants. Tyson workers consistently reported conditions that contradict Tyson policy, including, but not limited to, supervisors refusing to grant restroom breaks, workers enduring hazardous and unsafe work conditions, and workers afraid to speak out or use the hotline due to fear of reprisal. Even at Tyson's reported wage levels, many of its workers earn wages that leave them near the poverty line. Tyson has also been officially sanctioned by governmental agencies on multiple occasions for failing to pay workers appropriately and for safety violations.

While some of Tyson's policies on workers' rights are ahead of industry counterparts, they still fall short in key areas, such as paid sick leave and fair compensation. But, more crucially, it is impossible to verify their policies in practice using publicly available data. For example, in *Tyson Foods Sustainability Highlights for FY 2014*, it cites a "10% reduction in the Total OSHA Recordable Incident Rate" since FY13; but there is no supporting information.<sup>48</sup> Tyson's internal audits are not sufficient to judge whether their publicly stated policies are being followed. The audits are limited to health and safety, rather than the full set of rights enumerated in the Bill of Rights. The audits are conducted by Tyson corporate employees, rather than independent third parties. Since the results of these audits are not made public, it is not possible to judge their efficacy. Tyson's policies on workers' rights lack effective measurement and transparency reporting, making meaningful accountability at the individual plant and worker level difficult to achieve and impossible to assess.

## #2 PILGRIM'S

Pilgrim's (also known as Pilgrim's Pride) controls 19 percent of the US poultry market. In 2008, Pilgrim's sold a 64 percent share of its holdings to JBS USA, a subsidiary of a Brazilian company that is the world's largest meat processor.<sup>49</sup>



Pilgrim's, which is now headquartered in Greeley, Colorado, has 38,000 employees in 24 processing plants across 12 states.<sup>50</sup> In 2014, Pilgrim's brought in \$8.6 billion in revenue, with profits of \$711 million.<sup>51</sup> Its stock price more than doubled in 12 months (ending April 2014).<sup>52</sup> Pilgrim's president and CEO has seen his compensation rise by 290 percent (to \$9.3 million) since 2011.<sup>53</sup>

Pilgrim's claims to have released its first Corporate Responsibility report in an Investor Relations press release from 2012.<sup>54</sup> However, the report has since become unavailable, and its new Corporate Responsibility page does not mention any commitments to their workers on any issues regarding compensation, health and safety, or workers' rights.<sup>55</sup>

## #3 PERDUE

Perdue, which controls 8 percent of the US poultry market, is the only one of the top four that is privately held. The company is run by Jim Perdue, the grandson of the company's original founder, Arthur Perdue. Headquartered in Salisbury, MD, Perdue has 20,000 employees with 14 processing plants in 10 states; it is the only major poultry processor which has almost no employees represented by a labor union. In 2014, revenue was \$6 billion.<sup>56</sup>



Perdue's Corporate Responsibility Platform details its commitment to its employees, food quality, the environment, and the community. The company commits to creating a "culture of safety" in its plants by setting annual Safety Score goals, allowing workers to halt production to prevent impending accidents, and offering employees the opportunity to visit Wellness Centers during work hours. Perdue has a policy on employee rights, where it pledges to incorporate associates' voices into decision-making by encouraging employees to raise concerns with management, and "empower[ing] them to contribute ideas and identify opportunities for improvement."<sup>57</sup>

Worker testimony reveals that these policies do not always translate into practice. Perdue claims to have achieved progress on worker safety and health, but does not publicly release statistics beyond unverified claims such as "we exceeded our safety goals...by more than 18%."<sup>58</sup> Perdue's lack of transparent reporting and public accountability mechanisms prevents a fair assessment of whether these policies are being effectively implemented in practice. Still other policies are not in sync with the company's stated goals of empowering workers: Perdue's aforementioned employee rights commitment maintains that a non-unionized workforce presents the "best opportunity" for them to foster a "trust based environment."

## #4 SANDERSON FARMS

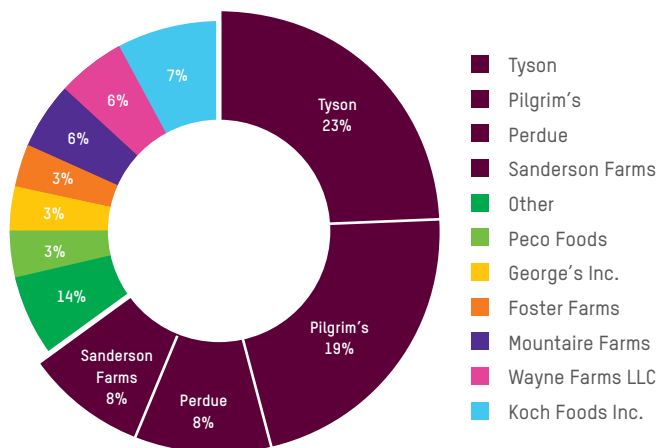
Sanderson Farms, which controls 8 percent of the market, is run by Joe Sanderson, a third generation of the family which founded the company in 1955. Headquartered in Laurel, MS, the company has 11,000 employees in 9 processing plants across 5 states.



In 2014, the company brought in \$2.7 billion in revenue, with profits of \$249 million.<sup>59</sup> Sanderson's stock price grew 43 percent in 2014.<sup>60</sup> The CEO and chairman of Sanderson Farms received \$5.9 million in compensation in 2014, a nearly 200 percent increase since 2011.<sup>61</sup>

Sanderson Farms publishes a corporate responsibility report every year. The focus is almost entirely on environmental responsibility and improving energy, packaging, and water use. There is no mention of workers or health and safety.<sup>62</sup>

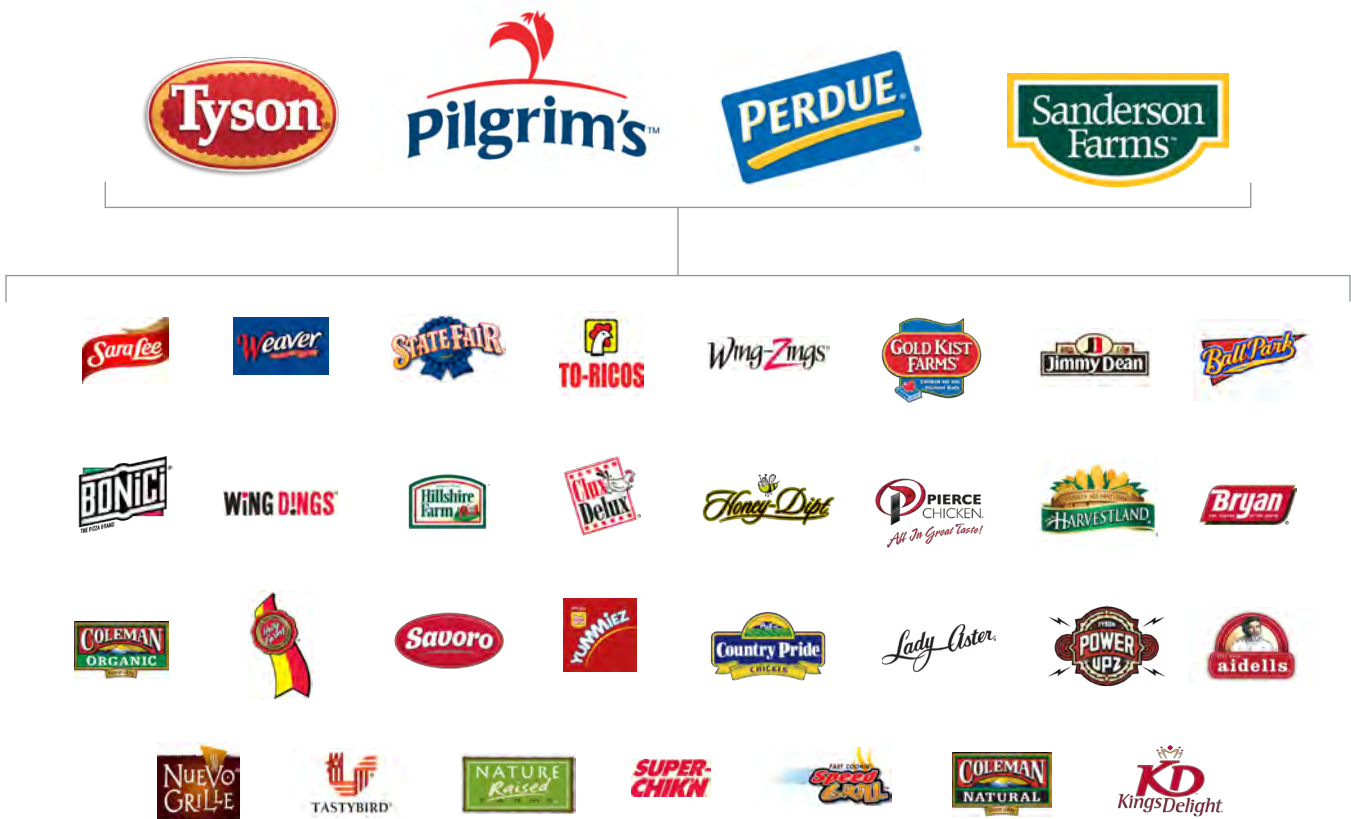
**FIGURE 3. TOP BROILER PRODUCERS**



The top four poultry companies control almost 60 percent of the market.

Source: WATTAgNet, Top Poultry Companies [www.wattagnet.com/Worldtoppoultry/US\\_broiler\\_producers.html](http://www.wattagnet.com/Worldtoppoultry/US_broiler_producers.html)

**FIGURE 4. FOUR COMPANIES, DOZENS OF BRANDS, HUNDREDS OF PRODUCTS**



The top four companies produce hundreds of different chicken items and market them under many brand names.

Source: Web sites of Tyson Foods, Pilgrim's, Perdue, and Sanderson Farms.

# LIFE ON THE LINE

The poultry plant of today is a long way from a red barn on a dusty road. It's now an industrial factory on the edge of a highway, lights blazing and chimneys pumping.

Most plants are large, concrete buildings, surrounded by tall fences and protected by security guards. Trucks drive in and out, loaded with tall stacks of chicken crates—full going in, empty going out. The air around most plants is redolent of chicken feces and fried chicken.

The environment inside the plant is not only harsh, but unhealthy. The processing rooms are cold, humid, and slippery with grease, offal, blood, and water. The air is full of chemicals from cleaning, processing, and cooking. The line is fast, the machines are loud, and the tools are sharp. These conditions pose constant dangers to workers' health and well-being.

## WORKERS AS PART OF A COMPLEX MACHINE

The processing plant has one imperative: to take all the live birds that are delivered at the entrance, and process them into chicken products that ship out the exit. The processing line fits the workers into this production cycle and keeps on running until the chickens are done.

Once a bird has been killed, de-feathered, and eviscerated, it's optimal to keep the temperature low for the rest of the processing procedures: below 40 degrees F reduces the risk of microbial growth.<sup>63</sup> One woman who worked at a Case Farms plant in North Carolina described how she dressed for work: "I

wear leggings, a pair of pants, two pairs of socks and a pair of boots. It's just too cold. I think that because of this, after a few years working there, your arms start hurting."

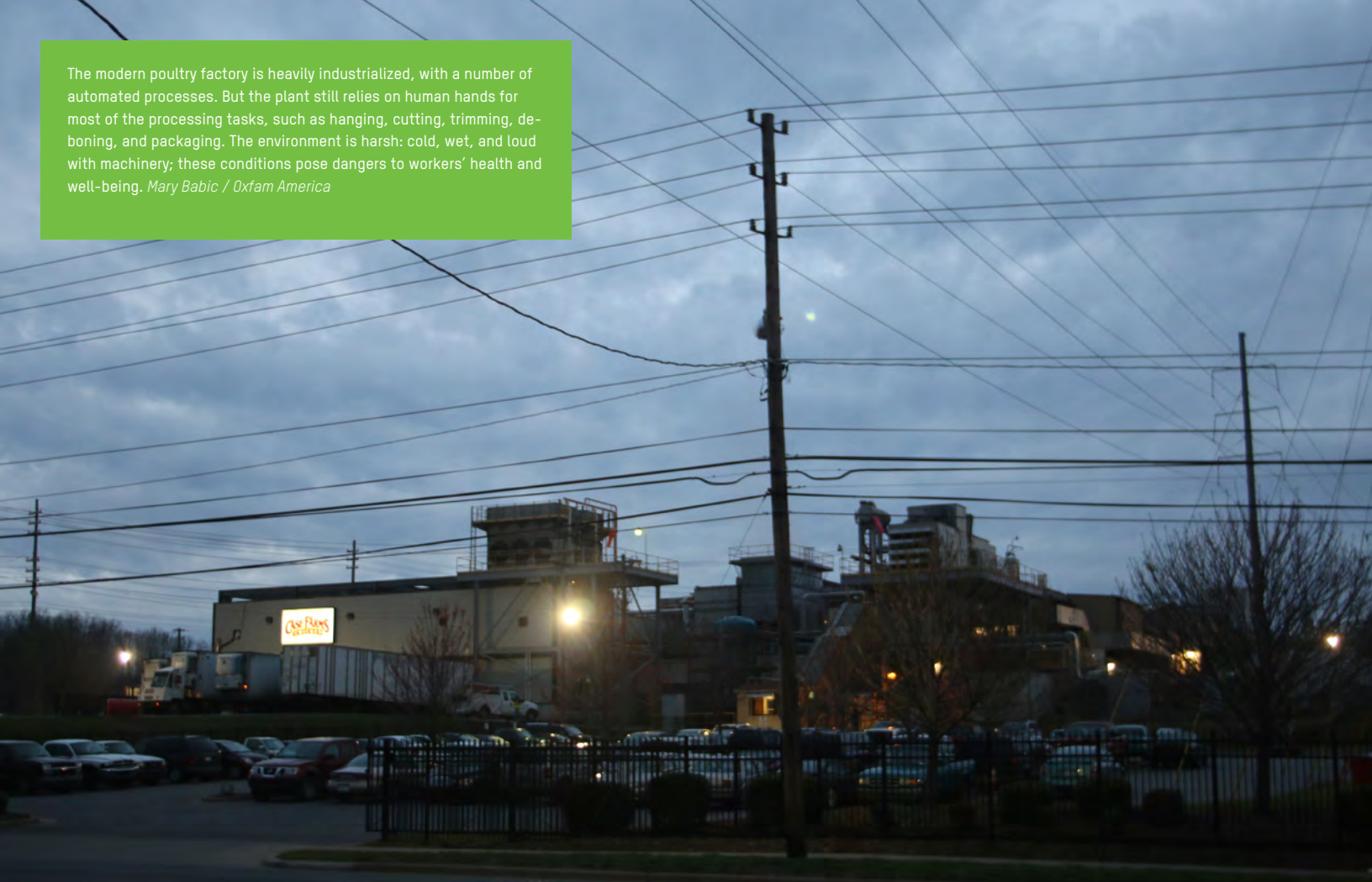
Indeed, while the cold is pervasive and uncomfortable, it's also a danger to the workers' health. OSHA notes that cold temperatures exacerbate the effects of repetitive motions.<sup>64</sup>

Animal processing is by nature wet work. The animals themselves excrete blood, offal, and grease. Cleaning the facility involves water, chlorine, detergent. The report *Always Working Beyond the Capacity of Our Bodies*, by the Midwest Coalition for Human Rights, notes that workers describe frequent exposure to "infected tissues, blood and other substances from dead animals." Some people reported working while standing in a pool of blood.<sup>65</sup>

One of the simplest requests a worker can make on the job is a break to use the restroom. On a poultry plant line, bathroom breaks pose challenges. When a worker needs a break, they ask the supervisor; the supervisor needs to find someone to fill that spot to keep the line running. Workers report that there usually are not enough of these replacement workers (line assistants or floaters); and they often have to wait a long time (an hour or more).



The modern poultry factory is heavily industrialized, with a number of automated processes. But the plant still relies on human hands for most of the processing tasks, such as hanging, cutting, trimming, deboning, and packaging. The environment is harsh: cold, wet, and loud with machinery; these conditions pose dangers to workers' health and well-being. *Mary Babic / Oxfam America*



## DANGEROUS JOBS MAKE A TENDER CHICKEN

Every day, over 30 million chickens are delivered to poultry processing plants across the US. The chickens enter the plant alive and squawking. Eventually, they leave the plant in packages: as boneless, skinless chicken breasts or breaded, frozen nuggets or wings or whole broilers.

What happens from the entrance to the exit involves a lot of labor, both automated and manual. Nearly every job poses some danger to the workers.<sup>66</sup>

**Catchers:** Meat chickens are raised indoors in climate-controlled "grow out houses." Catchers chase and grab the birds; they end up carrying up to six live and struggling chickens at a time.<sup>67</sup> They place the birds in transport cages, and lift the cages into trucks.<sup>68</sup>

**Line loaders:** Once the truck has arrived at the plant, line loaders remove the cages, unload the chickens, and place them on conveyor belts. The chickens are clawing, biting, and defecating.

**Hangers:** As the conveyor belt moves the chickens along, hangers lift the birds from the belt one by one, and insert their feet into continuously moving shackles overhead. Hangers

face dangers from clawing and biting, as well as defecation.<sup>69</sup> They report that the smell is awful and overwhelming.<sup>70</sup> As chickens have grown larger and heavier (average weight has doubled since 1955, and now stands at over six pounds),<sup>71</sup> it has become more arduous to lift and hang the birds.

**Automated stages:** In most plants, the live, hanging birds are next stunned in some way (e.g., electric current through water, drop in air pressure); then they are usually decapitated by machine and allowed to bleed.<sup>72</sup> The carcasses then go through scalding tanks to soften the skin, so the feather-picking machines can more easily beat the feathers off. The heads and feet are removed; the tail is removed to allow access for automated evisceration (various viscera are treated in different ways). The carcasses are then washed and chilled to 40 degrees. From this point on, the plant is kept chilled.

**Cone line feeders:** The cleaned, hanging birds continue to travel on the conveyor belt. At the next spot, the line feeders remove the carcasses and insert them onto cones on another conveyor belt. The carcass then travels on this continuously moving belt.



While the plant is operating, the line never stops running chickens past workers. Each worker tackles a single part of the bird—wing, leg, breast—doing the same motions tens of thousands of time each shift. Workers report that they often want to rotate to different jobs in the plant—to rest their muscles, learn new skills, and alleviate monotony; they say the company usually denies these requests. *Earl Dotter / Oxfam America*

**Wing Cutters:** The first part to be removed may be the wings. Workers lift each wing up, then use scissors to cut the wing off the carcass. The carcass is cold and hard, as well as slippery from water and fat.

**Leg/Thigh Cutters:** Legs and thighs are sometimes removed and packaged separately. Workers may use knives, scissors, and/or saws to remove legs and thighs.

**Back/Breast Separators:** Workers tug and cut to separate breast and tenders from the back of the bird. The tender, under the breast, is the whitest and most valuable part of the bird; supervisors watch for any damage to the tender.

**De-Boners/Trimmers/Cleanup:** Workers use knives to remove bone (or fat or skin) from various pieces of the bird, in the effort to carve out a “meat only” product.

**Packagers:** At the end of the processing, the product must be placed in a package, and the package must be placed in a shipping box. Tasks include making, packing, and sealing boxes.<sup>73</sup>

**Further processors:** Some plants process the chicken even further (e.g., into nuggets, sausages, seasoned entrees). Some of these tasks involve different chemicals (spices, flour, oil).<sup>74</sup> It may become uncomfortably warm in these locations.

**Warehouse workers:** Workers load boxes in and out of coolers/freezers, operate fork lifts to move loaded pallets onto trucks.<sup>75</sup>

## FIGURE 5. CHICKEN WHOLESALE CUTS



The vast majority of chickens are not sold whole. Each broiler can produce more than one dozen different products, most of which still need to be processed by hand.

Source: US Poultry and Egg Association, Poultry Processing Curriculum, page 9, [http://uspoultry.org/educationprograms/PandEP\\_curriculum/documents/pdfs/lesson9/poultryprocessingver3.pdf](http://uspoultry.org/educationprograms/PandEP_curriculum/documents/pdfs/lesson9/poultryprocessingver3.pdf)



## WOEFUL COMPENSATION

While the poultry industry is thriving economically, the workers on the line are not. By all accounts, they earn low wages, have scant benefits, receive no paid time off, and have little, if any, job security.

### LOW WAGES OF DECLINING VALUE

Most workers on the poultry processing line earn wages that place them near or below the poverty line. Wages average around \$11 per hour; annual income for most is between \$20,000 and \$25,000.<sup>76</sup>

The federal poverty level for a family of three in 2015 is \$20,090; for a family of four it's \$24,250.<sup>77</sup> An average poultry worker supporting two children qualifies for Head Start, SNAP (food stamps), and the National School Lunch Program.<sup>78</sup> In addition, workers often turn to local charities and food banks to supplement their income; in many poultry towns, thrift stores and food banks dominate local storefronts.<sup>79</sup>

Over the last 30 years or so, the real value of wages has declined dramatically—almost 40 percent since the 1980s.<sup>80</sup> Meanwhile, compensation for poultry executives is soaring: In just the last four years, compensation for Tyson's chairman rose 260 percent to \$8.8 million; compensation for Pilgrim's president and chief executive officer rose 290 percent to \$9.3 million.<sup>81</sup>

**The CEO and chairman of Sanderson Farms received \$5.9 million in compensation in 2014, a nearly 200 percent increase since 2011.<sup>82</sup> Over the course of an 8-hour workday, he made the entire average annual salary of a line worker.**

Each plant has its own system for jobs and wages. Some jobs routinely pay more than others (for example, hanging usually starts at a higher wage).<sup>83</sup> While some plants offer regular increases to workers based on seniority, the boosts are not substantial. Maria, who works at the Case Farms plant in North Carolina, notes that "I've been working here for nine years, and I'm making \$10.20. Some people have been here less than five years, and they're making \$10."

In a survey of over a hundred workers in the Delmarva region (Delaware, Maryland, Virginia), many Perdue workers reported wages around \$11 an hour, even after several years.<sup>84</sup>

Some workers find it necessary to supplement their earnings with other jobs or small businesses. Isabella, who worked at Case Farms in North Carolina, started cooking in her yard, and selling packaged meals in the community; she left the poultry plant (with an injury) and today struggles to get by on her food business. "The \$7.25 that you started with wasn't enough for everything that you needed... Eventually, I started cooking and selling food...my check wasn't enough...Almost eight years in the company, and...now I'm left with a shoulder injury related to what I used to do. They don't even consider the long-term health effect of this kind of work on their employees."

### CHEATING WORKERS OF FULL COMPENSATION

While some workers appreciate that jobs in the poultry industry are full-time and pay every week, many report problems with how they are paid, under-payment, and having to buy essential equipment on their own.

#### WAGE THEFT

Wage theft is common in the poultry industry, especially around time that workers spend preparing for and then finishing up after work. In its 2000 Compliance Survey of poultry processing plants, the Department of Labor found 100 percent of companies out of compliance with compensation requirements for "donning and doffing" (putting on and taking off the several pieces of safety gear) and lunch periods.<sup>85</sup> In 2011, in her book *Wage Theft in America*, Kim Bobo of Interfaith Worker Justice found that 60 percent of poultry companies were guilty of wage and hour violations.<sup>86</sup>

In most plants, workers stay on the line until all the chickens that have been delivered are processed. While many work more than 40 hours a week, reports of time-and-a-half for overtime pay are rare. Rey Hernandez, formerly with the Northwest Arkansas Workers' Justice Center, notes that, "They're coming in [to the Center] with wage discrepancies, where they aren't getting paid for the hours, or they're being asked to work off the clock, or they aren't receiving their overtime."

It's difficult for workers to keep detailed records (many don't get paystubs that outline hours worked), but they have managed to file complaints against a number of companies, and to win settlements for back wages. In 2010, Pilgrim's paid over \$1 million to current and former workers at a Dallas facility for overtime and "donning and doffing." In 2011, Tyson agreed to pay \$32 million to more than 17,000 workers at 41 poultry plants in 12 states for "time spent putting on and taking off gear they were required to wear to protect themselves and the poultry."<sup>87</sup>

Despite this settlement, Tyson maintains that the company pays its workers appropriately.



## PROFILE: ISABELLA

Some workers find it necessary to supplement their earnings with other jobs or small businesses. Isabella, who worked at Case Farms in North Carolina, started cooking in her yard, and selling packaged meals in the community; she left the poultry plant (with an injury) and today struggles to get by on her food business.

*"The \$7.25 that you started with wasn't enough for everything that you needed... Eventually, I started cooking and selling food...my check wasn't enough...Almost eight years in the company, and...now I'm left with a shoulder injury related to what I used to do. They don't even consider the long-term health effect of this kind of work on their employees."* Mary Babic/Oxfam America

## QUESTIONABLE ACCOUNTING PRACTICES

Plants pay wages in a variety of formats, which may make it difficult for workers to keep track of their hours and how their pay is calculated. Some companies pay workers with debit cards. The cards may force workers to pay a fee to access their wages (which is illegal); in addition, they may need to go online to find out how much they earned, and how much remains on the card.

Other plants decline to provide workers with paystubs that specify hours worked. While this is not illegal, it is unfair to workers who struggle to understand their pay and deductions.<sup>88</sup> As Mary Goff, an attorney in Arkansas who works with poultry workers, notes, "Wages are kept mysterious in some of the chicken plants; the paychecks don't even reflect how many hours were worked. So it's hard for someone to know whether they're being paid for all of their work or not."<sup>89</sup>

These practices make it difficult for workers to gather the evidence they would need to file any kind of wage violation complaint with a government agency. As Goff notes about the companies' record-keeping: "Imagine a minimum wage worker who works very long shifts and is exhausted, then going home and keeping meticulous records of when they clocked in and when they clocked out, of what paperwork they submitted, who they spoke with...for the most part that's not the way it works. All the records are in the employer's hands."

## PAYING FOR PROTECTIVE EQUIPMENT

Workers are sometimes required to buy their own safety equipment.<sup>90</sup> The Southern Poverty Law Center (SPLC) found that 57 percent of the workers they surveyed said they have to pay for some or all of their protective equipment, 33 percent paid for replacement gear, and 24 percent paid for all their equipment.<sup>91</sup> Another study found that 96.9 percent of the workers were required to either purchase their own safety

equipment or pay for replacements. Perdue workers at plants in Maryland and Delaware report having to pay for their own boots, gloves, aprons, and goggles.<sup>92</sup>

Most industry experts consider protective equipment such as boots and gloves to be fundamental to workers' health and safety; it seems reasonable to expect the company to provide them to workers. For example, Tyson pledges to provide employees with adequate work-related gear at no cost (although the company does not specify the quality of the equipment or replacement policy).

## MINIMAL HEALTH INSURANCE

From the evidence that's available, it appears that most workers are covered by some sort of health insurance offered by their employers. Most of the workers interviewed pay a weekly fee for this insurance, usually \$20 to \$30; it almost always covers only the individual (no family members).

Many workers report that when they incur an injury or illness at work, they first visit the medical personnel in the plant; if they get referred to a doctor, it is someone recommended by the company. If they want to see another doctor, or a specialist, workers say that they usually need to obtain permission from the company in order for the insurance to pay for it.

## LACK OF PAID TIME OFF, INCLUDING SICK DAYS

In our interviews and review of industry research, there is not one report of a line worker getting paid time off, including personal time, vacation days, or sick days. Indeed, many workers talk about working through illness, and the problems this poses on the processing line.



Jose Luis Aguayo, formerly with the Northwest Arkansas Workers' Justice Center, says, "Many of the workers feel that all of the supervisors take more care of the chicken, the way it's processed, than giving their workers what they need—rights, bathroom breaks, different sorts of ergonomic postures so they can do better jobs." *Mary Babic / Oxfam America*

Pedro, profiled previously in this report, notes that many people go to work with colds, with the flu, with injuries. "We get no sick pay, so we cannot call in sick... I would come down here with a fever or runny nose, I would tell the supervisor, 'Look, I have a runny nose. I would like to go to be excused to the bathroom,' and they say no."

Many women talk about the rigors of working through pregnancies (especially the stress of not being able to leave the line to go to the bathroom). Several have reported giving birth and then returning to the plant a few days later. In addition, if they need to go to the doctor, if a relative falls ill or dies, if their child is sick or childcare falls through—they simply don't get paid. And many workers say that they will be penalized (given "points") for taking time off, even if they've informed the plant.

## SHIFTING RESPONSIBILITY TO LABOR CONTRACTORS

Some poultry workers are not actually employed directly by the poultry companies; they are employed and paid by a third party, the labor contractor. Labor contractors use a variety of tactics to find and recruit workers; the poultry company pays the contractor, and the contractor pays the workers.

Labor contractors offer several advantages to poultry companies, and in recent years, there has been "a wave of outsourcing by giant poultry producing companies."<sup>93</sup> First, the company shifts the responsibility for finding and processing a "never-ending stream of new applicants to compensate for continual turnover in the workforce."<sup>94</sup> Second, the company avoids the risk related to the hiring of undocumented workers. Third, it enables them to attempt to avoid legal liability for any potential problems.<sup>95</sup> Tyson maintains that the company uses labor contractors only when faced with a severe labor shortage; and that the temporary workers have the option to apply to become full-time employees.

Unfortunately, labor contractors offer few benefits to workers. Garat Ibrahim reports that "temporary agencies" employing Somali refugees in the poultry industry in Minnesota "drastically eroded wages for workers, lowering the standard hourly rate by at least two dollars."<sup>96</sup>

Jesse Katz of the Los Angeles Times wrote a painful account of his journey along the "chicken trail" from the Mexican border to the American heartland in 1996. He began with a labor contractor in Texas who sent him to a poultry plant in Missouri. When he started work in the plant, he found the conditions arduous, the work exhausting, and the pay and accommodations drastically less than he'd been promised.<sup>97</sup>

Twenty years later, it appears that little has changed. In a recent interview, Jose, who traveled from his home in Puerto Rico to work at a Pilgrim's poultry plant in Alabama, related his experiences with a labor contractor. The contractor had placed an ad in a newspaper that promised \$11.25 an hour, and accommodations for \$45 a week.

When Jose arrived in Alabama, he found that he was sharing an apartment with several other men; that the furniture was in terrible condition (the bed smelled of urine); and that the accommodations actually cost \$65 a week, in addition to \$20 a week he had to pay for gas for transportation to the plant. And he soon found that he was earning \$8.40 an hour rather than \$11.25 he was promised; when he asked his supervisor why, the supervisor told him simply that the labor contractor had lied.

Like most workers, Jose found the work exhausting, and his hand and back soon began to ache. The plant personnel told him that the pain would go away, and gave him unlabeled pain pills (which he would not take). When he spoke up, he was told, "You don't like it, you can go home." Jose was eventually fired—and evicted from his apartment.



## CONSTANT DANGERS TO HEALTH AND SAFETY

By nature, poultry work happens in a harsh environment that poses many dangers to workers on the line. The Department of Labor and OSHA classify poultry as “a hazardous industry.”<sup>98</sup>

Nonetheless, the rates of injuries and illness are shockingly high. The industry could take many steps to mitigate the dangers and protect their workers.

Instead, they are treating workers as disposable parts of the work process. The industry escalates some dangers (by increasing line speed, failing to provide adequate rest breaks); fails to provide adequate medical care to injured workers; underreports incidents of injury and illness; and denies responsibility for workers who become injured or disabled.

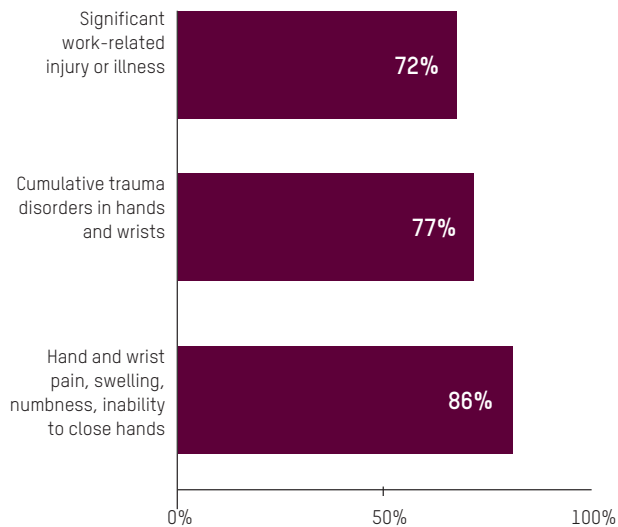
## ELEVATED INCIDENTS OF ILLNESS AND INJURY

When you ask poultry workers about risks to their safety and health on the line, many will point to places on their body where they’ve had surgery, or been cut, clawed, or bitten, says Darcy Tromanhauser, director of the Immigrants & Communities Program at Nebraska Appleseed Center for Law in the Public Interest. She says the general sense among workers is that working on the line is “working through pain.”<sup>99</sup>

The government cites numerous hazards in poultry processing work.<sup>100</sup> Official statistics show how dangerous poultry work can be. In a letter to the Southern Poverty Law Center (SPLC) in February 2015, OSHA acknowledged that “the incidence rate of occupational illness cases, including musculoskeletal disorders, reported in the poultry industry in 2011 and 2012 has remained high—at more than five times the average for all US industries.”<sup>101</sup>

The US Government Accountability Office (GAO) released a study of workplace safety in 2005 and concluded, “The meat and poultry industry still has one of the highest rates of injury and illness of any industry.”<sup>102</sup>

**FIGURE 6. MOST POULTRY WORKERS REPORT WORKPLACE INJURIES**



The Southern Poverty Law Center (SPLC) surveyed 302 current and former poultry workers in Alabama.

The top bar of 72% refers to all workers in the poultry plant. The middle bar of 77% refers to a subset of workers who do line jobs in the plant. The bottom bar of 86% refers to a subset of workers who do the job of cutting wings.

Source: Tom Fritzsche, *Unsafe at These Speeds: Alabama’s Poultry Industry and Its Disposable Workers* (2013).

**FIGURE 7. POULTRY WORKERS SUFFER INJURIES AND ILLNESSES AT RATES FAR HIGHER THAN OTHER WORKERS IN THE US**



Sources:

Occupational illness cases 2013. US Department of Labor (DOL), Bureau of Labor Statistics (BLS), Table SNR12, “Highest Incidence Rates of Total Nonfatal Occupational Illness Cases, 2013,” 2013, [www.bls.gov/iif/oshwc/osh/os/ostb3973.pdf](http://www.bls.gov/iif/oshwc/osh/os/ostb3973.pdf).

Carpal tunnel syndrome 2011. OSHA, *Prevention of Musculoskeletal Injuries in Poultry Processing*, OSHA 3213-12R 2013.

Repetitive strain from multitasks 2015. Letter from David Michaels, assistant secretary of labor for Occupational Safety and Health Administration (OSHA), to SPLC, February 25, 2015.

## PROFILE: CLAUDETTE

For more than five years, Claudette worked at a poultry plant in North Carolina, cutting and pulling thousands of turkey gizzards each day. After nights lying awake with pain pulsating in her right hand, she started visiting the first-aid station in the plant almost daily. An attendant gave her cream, but performed no tests and refused the request to see a doctor. Claudette told *The Charlotte Observer* (2008) that at times the pain was so severe that she would drop her scissors on the production line and start crying. When she finally went on her own to a doctor, he diagnosed her with severe carpal tunnel syndrome and later performed surgery. She eventually settled a workers' compensation case with the company. "I just wanted justice," she says. "I just wanted someone to take care of my hand."

John D. Simmons / *The Charlotte Observer*



## 20,000 MOTIONS EACH DAY: THE EPIDEMIC OF REPETITIVE STRAIN INJURIES

By far the most commonly reported injuries result from the repetitive strain of doing the same task over and over, quickly and relentlessly, hour after hour and day after day. The dangers are exacerbated by the cold temperatures and the humidity inside the plants, each of which contributes to the development of musculoskeletal injuries (MSDs). Dozens of medical studies have documented the elevated rate of painful and crippling MSDs in the workforce.<sup>103</sup>

Poultry workers make the same cutting, pulling, and hanging motions on the line thousands of times each day (a conservative estimate is 20,000, but it can be as high as 100,000 per shift).<sup>104</sup> They are essentially "perpetual motion machines," says Tom Fritzsche, industry expert and author of *Unsafe at These Speeds*. In the drive to maximize production, the companies rarely slow or stop the processing line; workers stand in place for hours on end, unable to pause or slow down for even seconds. Workers have no control over the pace of their work.

The constant repetitive motions cause pain in hands, fingers, arms, shoulders, backs, as well as swelling, numbness, loss of grip. These injuries affect the ability to work, do household chores, and lift children. Sometimes they are debilitating and long-lasting, if not permanent.

"It's one of those industries where the movements are fast, repetitive, and stereotyped," says Dan Habes, an ergonomics expert at the Centers for Disease Control and Prevention's (CDC) National Institute for Occupational Safety and Health (NIOSH). "Workers have no control over the speed, they can't stop to rest or take breaks when they want. Those are all principles of ergonomics: When you're hurting, you should be able to stop and take a break."<sup>105</sup>

MSDs grow worse the longer the workers continue to do the same work in the same way. Eventually, the damage to the nerves may become permanent. Roberto, who worked at a Simmons plant in Arkansas, developed carpal tunnel syndrome in both hands, along with pain and stiffness in his shoulders and back. After two surgeries, he still cannot work without significant pain. "I shook very badly and rapidly and my hands felt numb, and my wrists really hurt when I was hanging, even with the pain medicine."



## PROFILE: KARINA ZORITA

Unable to use her hands for a full embrace, Karina Zorita presses her forearms against the back of a friend's daughter. In 2007—after less than a year on the line pulling bones out of cooked breasts and thighs in a poultry plant in North Carolina—Zorita told reporters from *The Charlotte Observer* that she was unable to straighten her fingers or grab a spoon or glass.<sup>109</sup> Musculoskeletal disorders (MSDs) afflict a high percentage of poultry workers, especially in the upper extremities (hands, wrists, shoulders). Workers report pain so severe it wakes them at night, numbness and tingling, loss of grip and agility, twitching and burning muscles, and stiffness. The short- and long-term effects of MSDs impact workers in the plant, in their homes, and in their family lives. *John D. Simmons / The Charlotte Observer*

Many of the jobs on the line involve not just repetition, but force: Workers need to pull, hack, and twist forcefully to accomplish their tasks; if the tools are not sharp enough, they need to work even harder.

In April 2015, the CDC and NIOSH reported results of an evaluation of the prevalence of carpal tunnel syndrome among 191 poultry workers at a plant in Maryland. Among the employees NIOSH tested, 76 percent had abnormal results from a nerve conduction test (indicating damage to nerves); 34 percent had evidence of carpal tunnel syndrome.<sup>106</sup>

Human Rights Watch reports that poultry workers are 14 times more likely to suffer debilitating injuries stemming from repetitive trauma—like “claw hand” (in which the injured fingers lock in a curled position) and ganglionic cysts (fluid deposits under the skin).<sup>107</sup>

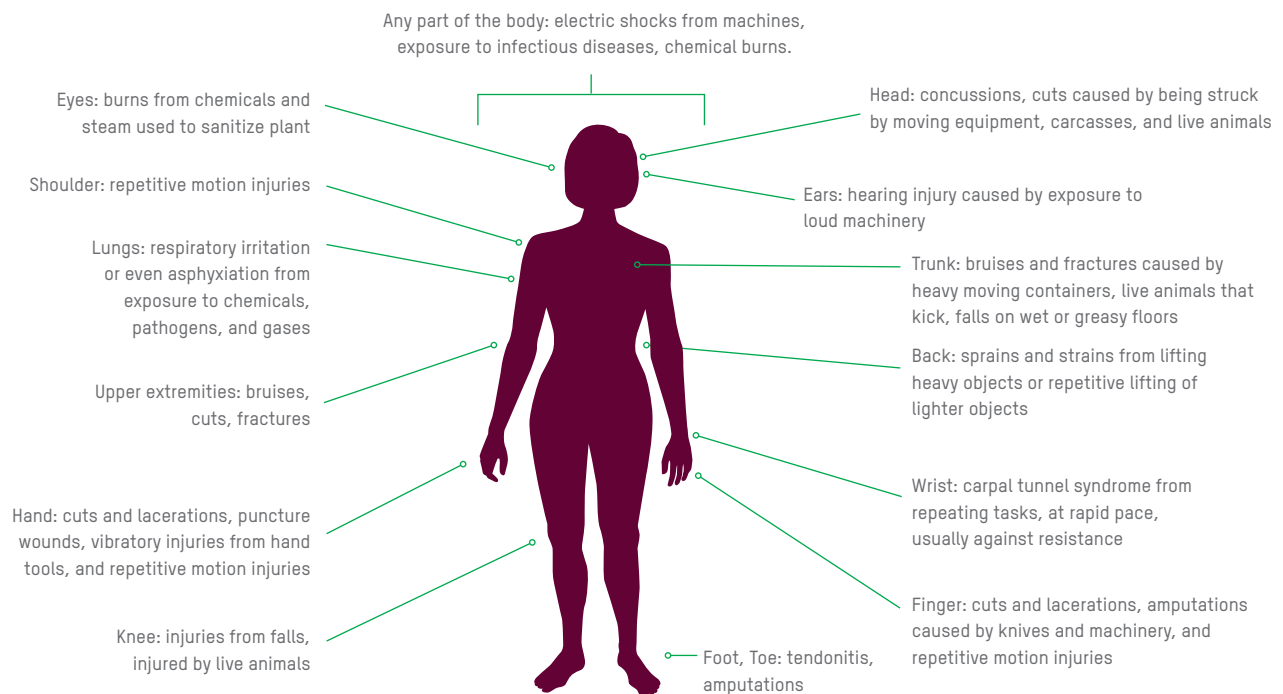
## THE FASTER THE LINE, THE MORE DAMAGE TO THE WORKERS

Workers surveyed over the last several years report that the line speed is an enormous part of the reason that workers get injured.

The faster the line goes, the more motions each worker has to make. More motions mean a greater likelihood of developing MSDs. Moreover, the constant and relentless pace adds to the problem. Workers are rarely allowed to step back, change position, or stretch.

The GAO documented how fast line speeds affect worker safety and health: “The faster the pace at which the production line moves, the less able workers may be to perform tasks needed for safety. For example, according to industry research, at certain line speeds workers may be unable to take the seconds required to perform certain critical tasks, such as the frequent sharpening of knives, to ensure that their jobs can be conducted safely.”<sup>108</sup>

**FIGURE 8. WRITTEN ON THE BODY: INJURIES TO POULTRY WORKERS**



Poultry processing work poses multiple dangers to areas throughout the body.

Source: United States Government Accountability Office, *Safety in the Meat and Poultry Industry, While Improving, Could be Further Strengthened*. GAO-05-96.

## OTHER MEDICAL DANGERS

Poultry processing poses risks to workers in many other ways as well.

**Cuts and lacerations:** Workers are at risk of injuries when handling knives, scissors, and saws. One survey found that 17 percent of workers performing deboning, cutting, and trimming had suffered a cut serious enough to require medical attention.<sup>111</sup> Many workers tell stories of losing tips of fingers or whole fingers or of stabbing themselves in the hand, arm, or leg. OSHA notes that workers are at particular risk when knives and scissors are not maintained properly.<sup>112</sup> Hangers (and catchers) are often clawed and bitten by live chickens.<sup>113</sup>

**Slips, trips, falls:** As noted in the chapter on life inside a plant, poultry plants are wet and humid. Workers wear heavy rubber boots and step on and off work platforms. Slips and falls are common. In some cases, slipping and falling may bring the worker a warning and potential disciplinary action.

**Respiratory hazards:** Poultry workers are exposed to dust and dander from live chickens, animal waste, and ammonia from the cleaning process. The CDC says poultry workers commonly report stinging or burning eyes, nose, and throat; shortness of breath or asthma-like symptoms; headaches; and nausea.<sup>114</sup>

In a survey of 302 workers in Alabama, SPLC found that “78 percent of workers surveyed said that the line speed makes them feel less safe, makes their work more painful and causes more injuries... When workers were asked if they had any opportunity to influence line speed, the answer was a resounding no; nearly 99 percent said they could not.”<sup>110</sup>

## BACILIO CASTRO, WHO WORKED AT A CASE FARMS PLANT IN MORGANTON, NC, TELLS HOW THE LINE SPEED LED TO A SERIOUS INJURY TO HIS HAND

"Usually when there is a stoppage of the line, the supervisors try to match production, so they begin to increase the line speed. They do it gradually so workers don't realize it. I tried to keep cutting the wings, but I felt that the knife wasn't sharp enough. I tried to sharpen the knife, but I missed several chickens. The supervisor came over and told me that if I kept missing the chickens, I would be taken to the office. Suddenly, the knife went through my hand, I don't know how many inches in. At that point, because the blood was so warm, it didn't initially hurt that much, but fifteen minutes later the pain set in, and I could not stand it, I could not move my hand.

I told my supervisor, because the blood was dripping, but he told me to wait, because there was no one to take over for me, and because I had a glove on, and the blood wasn't too visible. I was dripping, and I told him I can't do it anymore and let the chickens go by. The supervisor told me to come with him to the office to sign a paper. I was enraged and pulled the glove off my hand, and he saw my bloody hand. He wasn't pleased that I was on the line, and that blood dripped onto it."



In one survey, 100 percent of the workers reported exposure to chemicals while at work; 21 percent reported exposure to ammonia; 50 percent reported exposure to chlorine. Another 45 percent reported experiencing eye irritation at work, which they attributed to exposure to chemicals in the plant.<sup>115</sup>

In 2014, an ammonia leak at a Tyson plant in Arkansas sent 19 workers to the hospital because of difficulty breathing and swallowing.<sup>116</sup> A 2013 study noted, "Dust is one of the components present in poultry production that increases risk of adverse respiratory disease occurrence."<sup>117</sup>

**Exposure to dangerous chemicals:** Poultry workers are exposed to an array of toxins on the line. Celeste Monforton, DrPH, MPH, currently a lecturer at George Washington University, previously Legislative Affairs Specialist at OSHA, reports that workers have been known to absorb so many antibiotics from chicken flesh that they are unable to recover from staph infections because of resistance to antibiotics.<sup>118</sup>

Workers also talk about frequent exposure to infected tissues, blood and other substances from dead animals; they report headaches and dizziness from working with these substances, and expressed concerns about becoming infected with animal diseases. One medical study concluded: "Workers in poultry slaughtering and processing plants have one of the highest human exposures to transmissible agents that cause cancer and other diseases in chickens and turkeys, and also have other occupational carcinogenic exposures."<sup>119</sup>

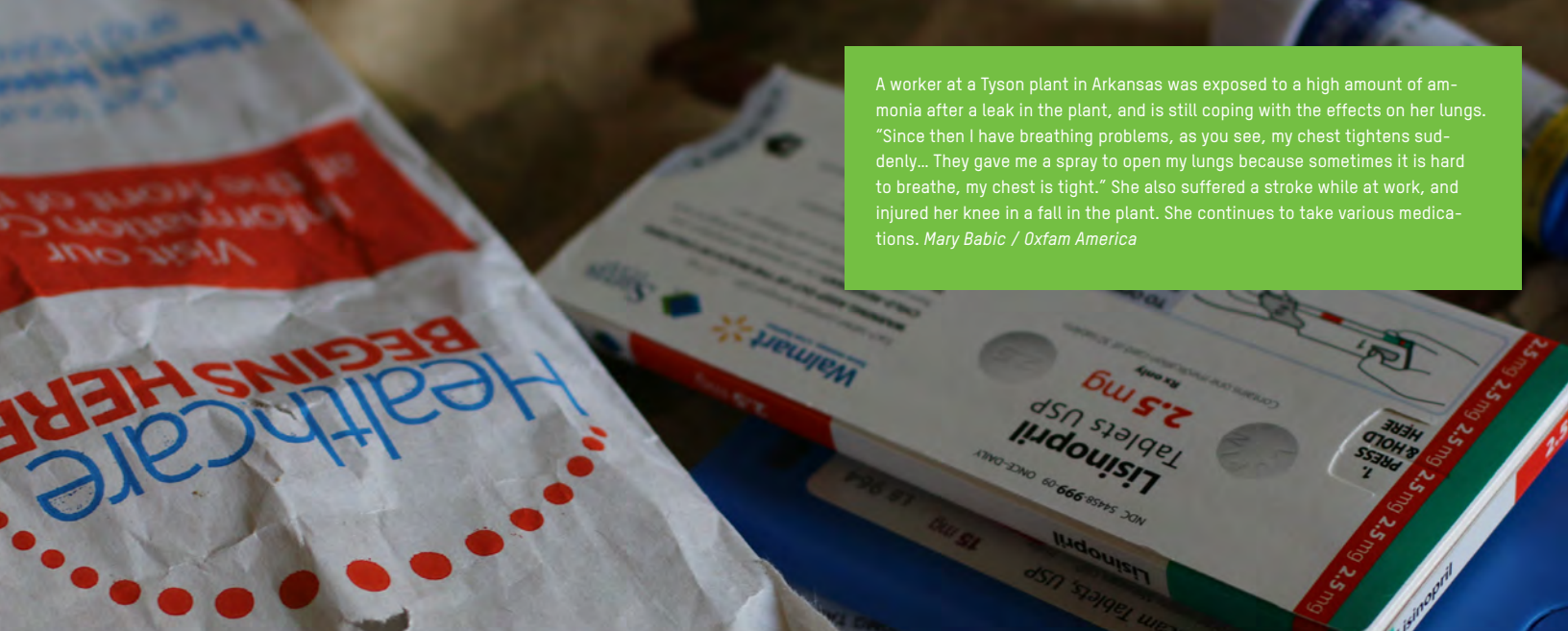
Tom Fritzsche, author of *Unsafe at These Speeds*, notes that sanitation workers use strong cleaning agents and wear cheap safety suits that tear easily, which exposes their skin to the chemicals.<sup>120</sup>

**Mental health problems:** It is not surprising that poultry workers commonly develop depression and anxiety. One study put the prevalence of depressive symptoms 80 percent higher among poultry workers than among a peer population in the same area (in North Carolina, working at plants owned by Perdue, among others).<sup>121</sup>

Among the risk factors cited for depression: social isolation and low social support,<sup>122</sup> abusive supervision, poor compensation and living conditions, hazardous conditions, and job insecurity.<sup>123</sup> One medical study notes: "Workers' reports of abusive supervision are associated with a variety of specific and summary health indicators. The associations are stronger for women than for men."<sup>124</sup>

In the interviews conducted for this report, many of the workers broke into tears at some point, often while describing the injuries they'd sustained: the pain, the surgeries, and the long recovery. In other cases, they were talking about the abuse they'd suffered on the line: supervisors yelling, deriding, and hurrying them along. Most often, they were talking about their families, and their sense of obligation to provide for them and keep working, no matter the conditions in the plants.





A worker at a Tyson plant in Arkansas was exposed to a high amount of ammonia after a leak in the plant, and is still coping with the effects on her lungs. "Since then I have breathing problems, as you see, my chest tightens suddenly... They gave me a spray to open my lungs because sometimes it is hard to breathe, my chest is tight." She also suffered a stroke while at work, and injured her knee in a fall in the plant. She continues to take various medications. *Mary Babic / Oxfam America*

**Health risks from lack of bathroom breaks:** While denial of bathroom breaks is humiliating to workers (and the accident of urinating on the line is unsanitary and embarrassing), it's also true that it poses risks to the health of the workers. One study examined the biological effects of not being able to use the bathroom when needed. The report notes that the pressure on the bladder and the urethra can cause kidney damage, infection, and even death.<sup>125</sup>

The Western North Carolina Workers' Center reports that most women poultry workers say they have suffered from urinary tract infections, which they trace to not being able to go to the bathroom when they need to.

**Humidity:** High humidity can exacerbate cumulative trauma injuries from repetitive motions.<sup>126</sup> It can also lead to respiratory and allergic reactions, especially for workers exposed at the same time to dust and feathers.<sup>127</sup> Some poultry workers are susceptible to problems from the dampness (especially in their boots), such as fungal conditions.

## DENIAL OF CARE AND COMPENSATION

In light of all the dangers on the line, workers frequently need attention for and treatment of incidents of injury and illness. Unfortunately, they often find a series of obstacles on the road to effective and humane medical care.

### AFRAID TO SEEK HELP

When workers are injured or ill, they say they're often afraid to speak up; they worry about being disciplined, being fired, or even (if they are undocumented immigrants) being deported. They say that working through pain is widely considered to be part of the job.<sup>128</sup>

Many workers say when something happens—such as a fall or a cut—supervisors are quick to penalize the worker. They may get demerit points for sustaining an injury. Maria, who worked at a Case Farms plant in North Carolina, reports that in her

plant, workers get a "yellow paper" (equivalent to a point) when they fall. Further, she says that they make workers sign a form that relieves the company of responsibility for falls.

Since it's difficult for supervisors to stop the line, they may react negatively when a worker requests a break to see medical personnel. Myrna, who worked at a Simmons plant in Arkansas, is just one of many who reported a supervisor disrespecting her for reporting an injury. "When I told the supervisor that my hand hurt, he said to me, 'Is your hand hurting again? You are just a crybaby.'"

### KEEPING MEDICAL ATTENTION AT THE LEVEL OF "FIRST AID" TREATMENTS

When workers do have the courage to seek medical care within the plant, they are usually referred to medical personnel who work in the interests of the company (not the workers). The medical professional on site may or may not be well qualified to treat workers for injuries; recent reports include licensed practical nurses (LPNs), emergency medical technicians (EMTs), and one person who had only received CPR training.<sup>129</sup> OSHA investigated worker safety at the Wayne Farms plant in Jack, AL; in a letter to the company about the findings, OSHA notes that the plant "may put its LPNs at risk of exceeding their authorized scope of practice."<sup>130</sup>

Plants are concerned about their safety records. They try to minimize measures that would require recording or reporting incidents. One way to avoid reporting incidents is to keep treatment at the level of "first aid," as defined by OSHA; if it stays at that level, there is no obligation to record or report.<sup>131</sup> First aid includes pain relievers, compresses, ointments, finger guards, even drilling a fingernail or toenail to relieve pressure.

Many workers say this treatment does not even begin to address their injuries. In their investigation of Wayne Farms, OSHA uncovered a case where a worker was seen in the nursing station 94 times before referral to a physician.<sup>132</sup>



After six months on the poultry processing line in Georgia, this woman needed surgery to ease the pain in her hand from carpal tunnel syndrome. MSDs can have devastating effects on workers and their families. As Tom Fritzsche, author of *Unsafe at These Speeds* and formerly with the SPLC, notes, the poultry industry has an unprecedented amount of impact on workers' bodies, health, and lives, "unique even among low-wage jobs." Workers find themselves trapped by jobs that rob them of their bodies' strength, dexterity, and vitality. Earl Dotter / Oxfam America

Roberto, mentioned previously, has now had several surgeries for carpal tunnel syndrome; when he was initially in pain, he tried to get the plant to acknowledge his injuries and to shift his position. "I reported it to my supervisor and they did nothing about it; later, I made a report at the human resources department, but they did nothing. They support what a supervisor says; they do not take into account what the worker says."

In addition, if the treatment is minimal, the medical personnel can send the worker back to the line. While the office may recommend light work, supervisors sometimes ignore the note and send the worker right back to their previous job. Myrna from Arkansas worked as a trimmer in a Simmons plant; she says, "The nurse gave me the pain pills and applied cream to me. But then they put me back in the same place with the same movement so the pain never went away."

#### MEDICAL CARE FROM COMPANY DOCTORS

While most workers report that going to the medical office in a plant is generally an exercise in first aid, sometimes it becomes apparent that a worker needs substantial medical attention. Many workers report that they are referred to physicians who work closely with the company. If a worker knows enough to request another doctor or a specialist, they may be discouraged or even threatened.

Pedro, who worked at a Tyson plant in North Carolina, reports: "I used to tell them that I needed to see a specialist, but they refused me. And I asked... can I go down to see my own orthopedist? And they said, 'If you do that, we're going to fire you.'"

Tyson denies this practice, citing corporate policies for workplace injury reporting and treatment, and non-retaliation, as well as North Carolina law.

Roberto says, "They sent me to their own clinic, and they prescribed me ibuprofen...it was prescribed so many capsules every few hours; when I ran out, I would have to go back for more, because...I had persistent and increasing pain."

Many workers observe what happens to others who seek medical treatment, and decide to live with their pain and injuries rather than risk being fired or deported. In turn, this suppresses the reporting and recording of incidents of injuries and illness. Anna, who works at a Perdue plant, notes, "If you're injured, they will help you, yes. But then they will get rid of you."

#### COMPANIES REFUSE RESPONSIBILITY FOR INJURED WORKERS

The most common problem—MSDs—poses special challenges to workers. These problems are sometimes largely invisible (though there may be swelling); they develop over time (sometimes months or years); and, although they are the result of the incessant repetitive motions on the line, this may be hard to prove.<sup>133</sup>

Workers often find that their claims for workers' compensation for MSDs are challenged by plants and their insurers. The companies may argue that these problems are not related to work, but to another activity (in one case, driving a manual transmission car).<sup>134</sup> Workers report that, although companies are obligated to provide accident records, they sometimes refuse. Workers spend months waiting for settlements that may not come. In that time, they are unable to work or to collect benefits.

## WHY DOESN'T OSHA DO MORE TO PROTECT POULTRY WORKERS?

The federal agency charged with protecting the health and safety of workers is the Occupational Safety and Health Administration (OSHA), which sits within the US Department of Labor.

OSHA has repeatedly acknowledged the particular and persistent dangers to the poultry industry workforce. In August 2014, the agency sent a letter and a publication about preventing MSDs directly to "Poultry Industry Employers."<sup>135</sup> The letter noted that, "Musculoskeletal disorders are...common among workers in the poultry processing industry. There are many such disorders, including carpal tunnel syndrome, tendonitis, epicondylitis and 'trigger finger.'"<sup>136</sup>

However, the agency does not have specific rules or safety standards for the poultry industry; and they are dramatically understaffed and underfunded. The agency has enough personnel to inspect just 1 percent of all workplaces in the US each year; at current staffing levels, it would take 114 years to inspect each workplace once.<sup>137</sup>

At one time, OSHA did establish specific rules about the ergonomic hazards of MSDs; however, the standards were almost immediately struck down by a newly elected Congress, and this served to block future action. In 2000, after eight years of work, OSHA issued an ergonomic standard aimed at preventing MSDs, which they estimated to be the most common job-related injury problem in the country (accounting for a full third of all job-related injuries and illnesses).<sup>138</sup> Labor leaders and allies welcomed the new regulations, estimating they would prevent almost a third of 1.8 million repetitive motion injuries every year.<sup>139</sup> Business interests opposed the rules, and sued to block them. In 2001, Congress repealed OSHA's ergonomic regulation and prohibited the agency from issuing one that is "substantially similar."<sup>140</sup> OSHA maintains that the law makes it nearly impossible

for them to develop an ergonomics standard. Some scholars disagree with OSHA's interpretation, noting that "substantially similar" does not bar the agency from issuing alternative ergonomic rules.<sup>141</sup>

Still, when workers can follow the stringent requirements to document violations and initiate a complaint with OSHA, the agency will follow through. In 2014, SPLC notified them about conditions in a Wayne Farms plant in Jack, AL. OSHA followed up with an investigation, and eventually cited the plant for a variety of health and safety violations, with total fines over \$100,000. They found workers were exposed to dangers from machinery, falls, and musculoskeletal disorder hazards.<sup>142</sup>

"The outcome of this investigation deepened our concern about musculoskeletal hazards in poultry plants, where employees are at increased risk of developing carpal tunnel syndrome and other disorders that affect the nerves, muscles and tendons," OSHA administrator Dr. David Michaels said.<sup>143</sup>

Nonetheless, the agency has seriously limited capacity to do much more. In March 2015, OSHA formally refused a petition by several organizations that urged the agency to create work speed protections for the meat and poultry industries; they claimed the denial was the result of "limited resources" that prevented it from conducting the work necessary to create safeguards for poultry and meat workers.<sup>144</sup>

As for the line speed—a major factor contributing to injuries and MSDs—OSHA has no regulations about the speed (see note 5 for more information). USDA sets the maximum line speed in consideration of food safety rather than worker safety. Human Rights Watch notes that "as long as USDA inspectors can certify that the product is uncontaminated, line speed can increase with no concern for effects on worker safety."<sup>145</sup>



Conrad T. Odom is an attorney in Springdale, AR, who specializes in worker compensation cases. He says, “Probably the number one problem that I have is when someone’s coming in to see me, and describing these symptoms of carpal tunnel, and they’re not being allowed to go to the doctor. And they’re not being allowed to go to the doctor because if the doctor runs a test it proves that they have carpal tunnel.”<sup>146</sup>

#### **WORKERS DENIED COMPENSATION, DISABILITY PAY, UNEMPLOYMENT BENEFITS**

Workers who are compelled to leave their poultry processing jobs—because they are crippled with pain or debilitated by injuries—find themselves without compensation, and without the physical ability to find other employment. One study showed that, on average, injured workers lose 15 percent of their earnings over a 10-year period after their injury.<sup>147</sup>

It’s extremely difficult for workers to succeed when pursuing a claim for compensation for work injuries. Poultry states (predominantly southern) have weakened workers’ compensation laws in recent years. Poultry companies often fight workers’ claims, especially those involving MSDs since it is extremely difficult for workers to prove definitively that they happened at work and not somewhere else.

When companies fight claims, the cases can drag on for months or even years, leaving workers in a devastating limbo: unable to work because they haven’t received proper medical care but without income to support themselves or their families.

Odom notes, “It’s not uncommon for the companies to just simply deny the claim. So when [workers] come in to see me, they’re not receiving the medical treatment they need...It could be 90 days after our hearing before we know the result. And then there could be appeals from there, where it could take two to three years before we even know whether or not they can even go to a doctor—all of which time they have not been able to go to a doctor and get the medical treatment that they need.”

In fact, companies usually bear little of the burden for compensating workers who incur injuries or illnesses on the job; the costs fall primarily on injured workers, their families, and taxpayer-supported safety-net programs. As Pro Publica noted in a recent expose, “Over the past decade, states have slashed workers’ compensation benefits, denying injured workers help when they need it most and shifting the costs of workplace accidents to taxpayers.”<sup>148</sup>

Workers’ compensation payments cover only a fraction (about 21 percent) of lost wages and medical costs; workers, their families and their private health insurance pay for nearly 63 percent of these costs, with taxpayers shouldering the remaining 16 percent.<sup>149</sup>

**“I used to tell them that I needed to see a specialist, but they refused me. And I asked... can I go down to see my own orthopedist? And they said, ‘If you do that, we’re going to fire you.’”**

*Pedro, former worker at a Tyson plant in North Carolina*

#### **LACK OF TRAINING LEADS TO INCREASED RISK**

While most tasks on the processing line are dangerous, and require a level of care and skill to execute them properly, the plants provide minimal training. Lack of proper training leads some workers to rush, hold tools incorrectly, and incur injuries.

Many workers report that the training they get is scant and brief. Human Rights Watch found that workers often report that training consists of being shown a video; and then being instructed to watch the person next to them on the line. “Some variant of a statement such as ‘production is everything’ was the common refrain.”<sup>150</sup>

Language barriers are increasingly problematic. While training may be offered in English and Spanish, the plants rarely offer other languages (such as indigenous languages from Latin America or Asia).

Bacilio Castro, a former poultry worker now with the Western North Carolina Workers’ Center, notes, “When we started, they showed us a 20 minute video—but in English and not everyone would understand what they were saying. We didn’t really have any training.” Isabella at Case Farms in North Carolina says, “In reality, they don’t train you...For example, when I picked up the knife, how would I know if it was sharpened or not? I held the chicken this way and immediately hurt my arm because the knife wasn’t sharp. That’s when they told me that I needed to sharpen the knife. They didn’t even tell me how, I had to learn on my own.”

Tyson maintains that the company conducts safety training in multiple languages. Oxfam was unable to verify the frequency and content of training with workers.

The Occupational Safety and Health Act of 1970 (OSH Act) requires that employers “provide for the establishment and supervision of programs for the education and training of employers and employees in the recognition, avoidance, and prevention of unsafe or unhealthful working conditions.”<sup>151</sup> Many workers interviewed expressed frustration with the scant training, and indicated that they would welcome more training. They want to know how to stay safe; they also want opportunities to advance and to learn more about the industry.

## “AN IMPRESSIVE BUT FICTITIOUS IMPROVEMENT IN PLANT SAFETY”<sup>152</sup>

Myriad studies and surveys have exposed the health and safety dangers facing poultry workers, and the elevated rates of injury and illness.<sup>153</sup>

Despite this evidence, the poultry industry maintains that the injury and illness rate has been dropping steadily in the last 20 years. The National Chicken Council created this chart to illustrate what they call “the enormous progress the industry has made in improving safety for its workforce.”<sup>154</sup>

The reality is far more complicated; the dramatic drop pictured is largely due to changes in the reporting system and underreporting of incidents. In other words, workers are still getting hurt. But those injuries are not getting reported.

There are several reasons why this has happened over the past 20 years or so.

### The rules about reporting incidents have changed.

Regulatory reforms in the early 1990s led to a decline in injury and illness rates across all occupations.<sup>155</sup> A study by authors from University of Illinois at Chicago, School of Public Health concluded that 83 percent of the decline in all workplace incidents can be attributed to changes in OSHA recordkeeping rules in 1995 and 2001.<sup>156</sup>

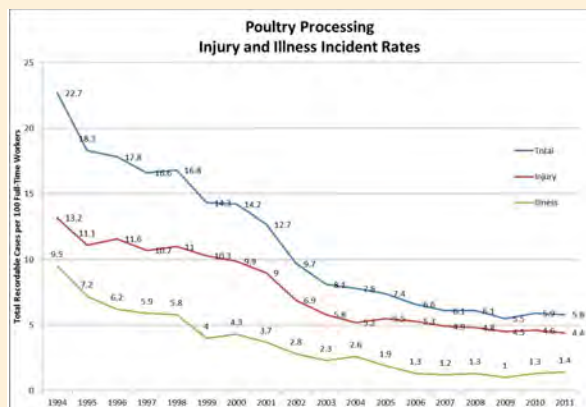
More significantly, in 2002, the reporting system changed: OSHA introduced a new form for reporting workplace injuries (the “300 Form”) that eliminated the column that required reports of MSD-type injuries. This new form abruptly made it more difficult to calculate the incident rate in the poultry industry.<sup>157</sup> In fact, the Bureau of Labor Statistics, which is responsible for publishing work-related injury data, notes in a highlighted box on the front of its report that “[d]ue to the revised recordkeeping rule, the estimates from the 2002 survey are not comparable with those from previous years.”<sup>158</sup>

As of 2003, the line in the chart declines much less dramatically.

**Incidents are underreported.** Plants and supervisors, under pressure to keep injury rates as low as possible, use a variety of tactics to discourage workers, supervisors, and medical personnel from reporting incidents.

These programs may be positive (rewards) or negative (disciplinary actions). A recent OSHA memo informs employers that they know about companies providing

**FIGURE 9. POULTRY INDUSTRY PAINTS AN INACCURATE PICTURE OF DECLINING INCIDENTS**



The National Chicken Council created this graph to illustrate the “decline” in incidents of injury and illness. Most of this decline can be attributed to changes in the reporting system and underreporting.

Source: National Chicken Council, “Poultry Industry Continues to Improve Worker Safety Record,” November 8, 2012, <http://www.nationalchickencouncil.org/poultry-industry-continues-to-improve-worker-safety-record/>.

incentives to dissuade workers from reporting injuries, and makes clear that this is illegal.<sup>159</sup> The GAO reported on plants offering incentives (money or prizes) to workers for maintaining low injury rates.<sup>160</sup> SPLC reported that 66 percent of workers were scared or reluctant to report injuries, and that 78 percent attributed this reluctance to fear of being fired.<sup>161</sup>

Many workers report a culture of fear and retaliation in the plants; since most are determined to keep their jobs, they are reluctant to step forward and insist on reporting of incidents. Some studies have indicated that certain worker populations are more likely not to report incidents.<sup>162</sup> They include Latinos (less likely to report injuries than Caucasian or African American workers) and immigrants.<sup>163</sup> As the GAO reports: “Because large numbers of meat and poultry workers are immigrants—and perhaps employed illegally—they may fear retaliation or loss of employment if they are injured and cannot perform their work, and they may be hesitant to report an injury.”<sup>164</sup> As a result of these dynamics, numerous studies document underreporting of injuries in the poultry and meat industries.





Official company statistics likely undercount the actual rates of injury and illness, as companies employ a variety of tactics to suppress reports of injuries. One way to avoid reporting “lost time” is to bring workers back to the plant no matter what has happened (sometimes hours after surgery). This Pilgrim’s plant in Elberton, GA boasted a safety streak of over 68 million hours without a lost time injury. *Tom Fritzsche*

### LOW FINES FOR RUNNING AN UNSAFE WORKPLACE

Even when OSHA does inspect a plant, however, penalties for violations are weak and fines low. As the SPLC notes, “[I]t is often cheaper to run an unsafe plant and pay minuscule fines than to protect workers from injury and illness.”<sup>165</sup>

The average OSHA penalty for a serious violation is \$1,972 (FY2014).<sup>166</sup> A former policy director of OSHA commented, “Even when an inspector discovers life-threatening violations, the penalties are shockingly small.”<sup>167</sup>

In 2011, a Perdue plant in Virginia was found to have committed 12 safety violations, including six that OSHA classified as “serious,” including improperly securing equipment and hazardous chemicals. Despite these violations, the company was only fined \$6,000, which was negotiated down to just \$4,000.<sup>168</sup>

In another example, OSHA recently named Pilgrim’s to their “Severe Violator” program, which is designed for companies that have repeatedly violated health and safety laws. However, despite its record, Pilgrim’s has faced just over \$300,000 in fines since 2011, a minuscule amount for a company with over \$700 million in profits in 2014 alone.<sup>169</sup>

**“[I]t is often cheaper to run an unsafe plant and pay minuscule fines than to protect workers from injury and illness.”**

*Southern Poverty Law Center, [Unsafe at these Speeds](#)*

### THE PRESSURE TO REDUCE DAYS AWAY

Many workers and advocates report that companies may encourage workers to return to the plant even after serious injuries—In order to maintain a low DART rate (Days Away, Restricted, Transferred).<sup>170</sup> Workers tell stories of people sustaining serious injuries, and then being required to return to work that same day or the next day. Sometimes they are allowed simply to sit in the plant; only their attendance is required.

House of Raeford Farms in North Carolina boasted of a safety streak of five years with no lost-time accidents. It was sustained by bringing injured employees “back to the factory hours after surgery.”<sup>171</sup>

At a Case Farms plant in North Carolina, a worker recounts: “We saw this young man running, screaming. His finger got into the cutter and took it off. He was crying because he had just lost a finger. To our surprise the kid returned to work three days later with a bandage on his hand.”

## CLIMATE OF FEAR: EXPLOITING VULNERABLE POPULATIONS

The poultry industry has a complicated history of tapping marginalized populations for its workforce. Today, most of the 250,000 workers in poultry processing are minorities or immigrants, and a significant percentage is female.<sup>172</sup>

Since the turnover rate is extraordinarily high (up to 100 percent annually in some plants), the industry needs to find new pools of workers on a continual basis.<sup>173</sup> Companies increasingly turn to what the author Christopher Cook calls “a variety of economically desperate and socially isolated populations.”<sup>174</sup>

Most of these workers face an array of obstacles that prevent them from standing up and speaking out about harassment, injuries, under-compensation, overwork, and other abuses in the workplace. In the words of many, the industry takes advantage of workers who live and work in a climate of fear.<sup>175</sup>

**Of the roughly 250,000 poultry workers in the US, most are minorities, immigrants, or refugees, and a significant percentage is female. Many workers and advocates say that the industry takes advantage of these vulnerable populations by creating a climate of fear.**

## HISTORICAL PATTERNS OF SEEKING NEW POPULATIONS

The author and academic Angela Stuesse, currently assistant professor at University of South Florida, spent several years conducting ethnographic research on the poultry industry in Mississippi. She says that what the industry refers to as a consistent “labor shortage” is actually a situation where the compensation is too low for jobs that are too dangerous and difficult.

She says that as the industry started industrializing and growing after World War II, the workforce was primarily composed of white women. During the Civil Rights era, African Americans pushed for a greater place in the industry. As a result, African American women were the first to integrate the plants, says Stuesse. She notes that these women and men had grown up working as sharecroppers; as the cotton industry declined, the workers wanted reliable factory jobs. However, during the 1970s and 1980s, these workers began to organize and to fight for their rights, and the industry started to look for new workers. Stuesse reports that the industry executives she interviewed decided to encourage the recruitment of Latino immigrants, and labeled it “The Hispanic Project.”<sup>176</sup>

Several workers and advocates interviewed for this report say that today, Latino immigrants are gradually learning their rights, and starting to speak out and take action. As they do, they often lose their jobs. It appears that as Latinos start, however modestly, to organize, the industry is increasingly looking to other countries and other communities for their workers.



### PROFILE: ALBIOUS LATIOR

“Every time I laugh at the chicken commercial. Because they say, ‘We are taking care of our chickens.’ But they are not taking care of their workers. Their workers are really mistreated. ... Why [do] they treat their chickens fairly but not the human beings?”

Albious Latior works with a population of poultry workers from the Marshall Islands in Springdale, AR. The Marshallese, who work in the US legally under a special agreement, have been moving to Arkansas for years specifically to work at Tyson plants. *Mary Babic / Oxfam America*



## PROFILE: MARY GOFF

Mary Goff, a former staff attorney at Legal Aid of Arkansas Legal Services Partnership, says workers come to her office seeking help in understanding their rights around the point system.

*"The companies keep the rules vague, keep in their rule system that they have the ability and the right to exercise their own discretion for anything that comes up and any disciplinary action. And then keep a climate of fear where the employees believe that at any moment they can and will be fired. Then they are able to keep their workforce doing exactly as they please, and they are able to treat people as a commodity that can be done away with when they want."*

*Mary Babic / Oxfam America*

Many workers entering the poultry industry today are from other countries; some are working with proper documentation, some are not.<sup>177</sup> Oxfam America interviewed workers from Mexico, Guatemala, El Salvador, Peru, Laos, and the Marshall Islands. People reported working next to individuals from Nepal and China. A survey of poultry workers in the Delmarva (Delaware, Maryland, Virginia) region found workers from Haiti and Ecuador.<sup>178</sup>

As the workforce diversifies by country of origin, the challenges to the plant and the workers increase as well. While plants often employ people who speak both English and Spanish, they rarely have the capacity to provide translators for the many other languages that may flow into the plant, from indigenous languages from Central America to Marshallese to African languages.

One report refers to a Tyson plant in Missouri where at least a dozen different languages are spoken, "from Somali to Spanish to Chukese, which is spoken primarily in Micronesia." As in many plants, the workers have to rely on body language.<sup>179</sup> The language barrier makes it difficult for workers to communicate with each other and to speak out.

### A POOL OF DISPLACED WORKERS: REFUGEES

In recent years, the poultry industry has been turning to one of the most vulnerable communities in the country for its workforce: refugees who have come to the US seeking asylum. There is a match between the workforce (which is eager to work, and struggling to find work) and the employer (which is eager, and struggling, to find workers).

In many cases, the industry uses labor contractors to find and recruit refugee workers. As noted earlier, labor contractors pay wages directly to the workers, and these wages are usually less than the plant would pay directly. "In this way, the food companies get cheaper labor longer while driving down the earnings of refugees who are desperate to support their families."<sup>180</sup>

Among many examples: Tyson employs refugees from the Karen tribe in Burma at a plant in Wilkesboro, NC.<sup>181</sup> The Tyson plant in Noel, MO, employs immigrants from the Sudan and Burma.<sup>182</sup> Refugees from Eritrea are working at plants in Albertville, AL. "Wayne Farms found Eritreans, displaced by war and conflict, and other Africans through...a labor broker."<sup>183</sup> A Pilgrim's plant in Nacogdoches, TX, employs "a couple hundred" refugees from Burma.<sup>184</sup>

### PRISON LABOR IN POULTRY PLANTS

The industry sometimes employs what the author Christopher Cook calls "unofficially coercive" labor.<sup>185</sup> Many workers and advocates report the increasing use of prisoners to do jobs within poultry plants; several reporters have investigated the use of prison labor, in poultry and other industries.<sup>186</sup> In some plants, the prisoners arrive for the third shift, to do the cleaning jobs while the processing line is idle. In other plants, workers report standing next to prisoners doing regular processing work.



## HARASSMENT AND DISCRIMINATION

Many analysts say that the poultry industry deliberately takes advantage of the special demographics of the workforce to create a “climate of fear.”<sup>187</sup> As Rosa, who worked at a Tyson plant in Arkansas, notes, “They want submissive employees. For them, a happy employee is a quiet one.” Tyson disputes this characterization.

Supervisors are the people who have the most interaction with, and power over, workers on the line. Workers say that these supervisors are provided little training in management and are under intense pressure to keep up with production.

Some workers say that their supervisors are fair, but many say that the supervisors push the workers to the brink; and use tactics that are rough and sometimes abusive. Many workers report racial slurs, being denied bathroom breaks based on race, being derided for complaining about pain or illness.

Because supervisors have so much power over the workers on the line, many workers are afraid to speak up about injuries, illness, problems with the chicken, line speed, or bathroom breaks. They work through pain at a relentless pace, keeping their heads down out of simple fear.<sup>188</sup>

Human Rights Watch, in their report *Blood, Sweat, and Fear* notes simply: “Tyson always gets rid of workers who protest or who speak up for others. When they jumped from 32 chickens a minute to 42, a lot of people protested. The company came right out and asked who the leaders were. Then they fired them.”<sup>189</sup>

### “POINT SYSTEMS” TO CONTROL WORKERS

Most poultry plants use a “point system” to monitor workers and enforce rules. In practice, workers experience the system as unfair and dehumanizing; they are often anxious and confused about how the system works.

The points keep track of infractions such as absences, mistakes, even injuries. When the company wants to penalize or dismiss a worker, they can refer to the points, with no other explanation. Rarely is the system explained or documented; many workers don’t know how many points they have or how close they are to being fired. It may take up to a year for a worker to get a point removed.<sup>190</sup> The lack of clarity makes it difficult for workers to understand and cope with how they are treated.

SPLC says that 97 percent of workers surveyed report a point system in their plant; 81 percent said their plants assess points for any absence (even for medical reasons).<sup>191</sup> In one plant in North Carolina, workers report they get a point when they slip and fall.

Mary Goff, an attorney who works with poultry workers in Arkansas, notes: “There’s a separate point system that relates to absences. And it is a ruthless policy, in my opinion. It is anti-human in that it doesn’t account for the realities of living in that a person can get pointed for being absent, for someone being sick. Sometimes it’s excused, sometimes it’s not.”

### THE LINE NEVER STOPS, EVEN FOR BATHROOM BREAKS

Many workers report being afraid to ask for permission to go to the bathroom; supervisors may yell, penalize, or threaten firing. There are countless stories of workers peeing on themselves. Pedro, from the Tyson plant in North Carolina, notes, “Many people have to urinate in their pants because they don’t let us go to the bathroom.” Tyson disputes this claim.

The long waits are especially hard for some workers, including pregnant women and older workers. Some workers take the step of reducing their intake of fluids, and holding urinary and bowel functions as long as possible.



### PROFILE: SPENCER LO

Like many Hmong immigrants, Spencer Lo moved from Laos to North Carolina to work in the furniture industry; many now work in the poultry industry. He estimates the Hmong population in North Carolina is about 20,000; he says that often they are uneducated and speak little English.

Lo currently works for the Western North Carolina Workers’ Center, where he organizes and advocates for poultry workers from Laos, the Marshall Islands, and Latin America. Spencer sums it up for many workers from other countries: “The Hmong people, they feel like they’re discriminated against. They get very low pay, working too fast, no chance to go bathroom. And they work all the time. The lines are very, very fast for them—but they get little pay. That doesn’t make sense.”

Mary Babic / Oxfam America



## PROFILE: BACILIO CASTRO

Bacilio Castro, who worked at the Case Farms plant in North Carolina, talks about a woman who was eight months' pregnant being denied a bathroom break. She asked, and then, "An hour went by, then two hours. The lady asked again. The supervisor told her that he was sorry, but there was no one available to take over for her. She couldn't hold it any longer, and let it go--and started to cry. The supervisor came over and started to scream at her. 'You know that in this company we work with food products, what do you think you are doing? Follow me!'...Workers shouted, "Stop the line!"—and we did a work stoppage." *Mary Babic / Oxfam America*

Still others make the choice to wear diapers to work. Dolores, who worked at a Simmons plant in Arkansas, said she was denied permission to use the bathroom "many, many times." Her supervisor mocked workers' requests. She reports that he said, "I told you... that you shouldn't drink so much water and eat so much food so that you don't need to ask to use the bathroom." She began wearing a sanitary napkin, but since it would fill up with urine too quickly, she resorted to diapers: "I had to wear Pampers. I and many, many others had to wear Pampers." She said she felt like she had "no worth, no right to ask questions or to speak up."

### THE FEAR OF BEING UNDOCUMENTED

Many workers have tenuous immigration status, which puts them in a vulnerable position. Many get their jobs with false documentation, and they worry about their situation and their families. They fear deportation, which could put families in the US and in their country of origin at risk.

But on a simpler level, they fear the plant personnel using their false documentation as a pretext for firing them. Many workers report being hired with false documents, working undisturbed for months; and then, when they learn their rights and speak up, the company suddenly notices that their documents are not right and fires them.

Being undocumented not only puts them in jeopardy of being fired. It also means the workers are ineligible for unemployment benefits, and, depending on the state, may have a hard time filing for workers' compensation.

Spencer Lo, who works with the Hmong population in his capacity with the Western North Carolina Workers' Center, notes, "They work in a plant, and sometimes they don't get paid. They think maybe because they're undocumented, they don't have to get paid in full."

**"It was like having no worth...we would arrive at 5 in the morning...until 11 or 12 without using the bathroom... I was ashamed to tell them that I had to change my Pampers."**

*Dolores, former worker at a Simmons plant in Arkansas*

### FEAR OF LOSING JOBS

Most poultry workers barely survive on their earnings. In fact, many of them turn to food pantries and community services or government assistance (if they are eligible). In addition, many of them have come to the US to support their families in their country of origin, and send money back as often as possible. Most workers refer to parents and relatives who depend on their earnings just to stay alive.

These workers are terrified of losing their jobs. Lives depend on these wages. Usually, there are few other options in the area, and these options likely pay lower wages.

Workers clearly get the message that they if they want to keep their job, they need to endure what happens inside the plant—or, in the words of many, "allí está la puerta" ("there's the door"). Gabriela, who worked at a Case Farms plant in North Carolina, notes, "People talk back and fight, but they do not listen. One time there were two groups. One group of people advocated so that immigrants—workers who didn't have papers—could have a wage increment, and earn a little bit more. But they fired all those people. Lots of people were fired. All my family worked there."

# CONCLUSIONS AND RECOMMENDATIONS

Every day, thousands of women and men head to work on the line in a thriving and vital industry.<sup>192</sup> They process the chicken that lands on our plates in our homes, schools, and restaurants.

But they do not share in the bounty. Instead, they earn poverty-level wages, incur injuries at five times the national average, and work in a climate of fear.

It does not have to be this way. The poultry industry can and should implement any number of cost-effective and profound changes that would quickly improve conditions for these workers. The top four can lead the way. Tyson Foods, Pilgrim's, Perdue, and Sanderson Farms together employ over 100,000 poultry processing workers and control almost 60 percent of the market.

These companies should change the way the industry treats workers, by:

- Compensating workers fairly;
- providing a healthy and safe environment in plants and caring for workers properly when they're injured; and
- allowing workers to have a greater voice in the workplace, ensuring they understand their rights, and providing an atmosphere of tolerance to act on those rights.

In addition, the federal government can and should be doing much more to fulfill its vital responsibility to safeguard the health and welfare of poultry workers. Policymakers in Washington should pursue greater oversight of the poultry industry; should make sure OSHA has the resources necessary to carry out increased enforcement of existing regulations; should create and enforce new regulations that protect poultry workers from health and safety hazards; and should ensure that workers are able to speak freely about working conditions and hazards.

## RECOMMENDATIONS TO POULTRY COMPANIES

In general, the industry should be more transparent about its practices and its workforce. It should disclose more information about wages, benefits, and demographics of the workforce, and provide full and true accounting of incidents of injury and illness. Each company should publicly commit to

core labor rights and to ensuring the health and well-being of their workers, including all necessary actions to address the hazards that lead to MSDs.

### FAIR COMPENSATION

- Pay workers a fair wage that enables them to support their families without relying on federal assistance or charity;
- Provide health insurance coverage for the worker and the family;
- Provide paid time off, especially sick time (for themselves or to care for family members);
- Provide all work-related gear and equipment at company expense;
- Ensure workers are paid for time donning and doffing gear;
- Provide a full accounting of hours worked and wages earned (pay stubs); and
- Ensure that use of debit cards for payment of wages is at the preference of the employee.

### HEALTHY AND SAFE WORKPLACE

#### SAFE WORK ON THE LINE

- Ensure that the work speed is at a pace that does not inflict damage on workers, and make sure that this speed is not exceeded;
- Follow NIOSH's recommendation for rest breaks for workers at risk of musculoskeletal injuries;
- Ensure staffing levels are high enough so floaters can stand in when workers need breaks to use the restroom or to recover;
- Rotate workers among different positions in the plant, to reduce repetitive strain; and
- Ensure equipment is properly maintained to minimize risk (e.g., continuously sharpen knives to reduce force necessary to perform actions).



### **INJURY REPORTING AND TREATMENT**

- Ensure that workers are allowed to report incidents without fear of reprisal;
- Provide timely and appropriate medical care by qualified individuals working within their licensed scope of practice;
- Record incidents appropriately, along with recommended course of action for medical treatment, as well as steps taken by the company to address the hazard(s) that caused the injury or illness; and
- Minimize obstructions to individuals receiving workers' compensation for injuries incurred on the job.

### **TRAINING**

- Provide meaningful health and safety training and task training in appropriate languages, upon hiring, and at regular intervals thereafter.

### **APPROPRIATE ERGONOMIC DESIGN OF JOBS**

- Contract ergonomics experts to analyze the plant, involve workers in assessing the problems and designing fixes, and implement changes; and
- Embrace the ergonomic principle of ensuring that the workstation fits the worker.

## **WORKER VOICE AND EMPOWERMENT**

### **THE POINT SYSTEM**

Eliminate or modify the point system:

- Use points only to punish behavior that is illegal or dangerous; and
- Provide workers a written copy of the point system policies, translated into appropriate languages.

### **OPPORTUNITIES FOR WORKERS**

- Provide regular training on multiple topics (including food safety, worker health and safety, and worker rights) that is free of charge and conducted by an independent third-party;
- Create joint labor-management committees and conduct regular meetings;
- Create a robust mechanism for worker grievances, ensuring there is no retribution against the workers for speaking out; and
- Maintain neutral stance on union activity by workers; and allow freedom of association for workers, as called for in the United Nations Global Compact<sup>193</sup> and Universal Declaration of Human Rights.<sup>194</sup>

## **A ROLE FOR THE FEDERAL GOVERNMENT**

### **RECOMMENDATIONS FOR CONGRESS**

- Congress should pass legislation that establishes safe work speed limits for poultry workers;
- Congress should increase funding for OSHA so it can properly oversee and enforce its mandate to protect the health and safety of workers;
- Congress should raise the minimum wage, which could mean a raise for almost every poultry worker; and
- Congress should increase whistleblower protections for poultry workers, including a private right of action.

### **RECOMMENDATIONS FOR OSHA**

- OSHA should issue regulations that establish safe work speed limits for poultry and meat workers;
- OSHA should immediately create an Emphasis Program for the poultry industry which would identify and substantially reduce or eliminate dangerous working conditions in poultry plants;
- OSHA should amend the 300 Form to include a column specifically for recording musculoskeletal injuries;
- The Department of Labor should increase Wage and Hour investigations into wage theft and debit card payments in the poultry industry;
- OSHA should provide worker safety and health materials in more languages, as well as visually for workers who lack literacy skills; and
- OSHA should finalize the proposed rule "Improve Tracking of Workplace Injuries and Illnesses," to ensure a more accurate and timely accounting of workplace injuries and illnesses, and include a provision that makes it illegal for companies to discourage reporting of injuries and illnesses or to retaliate against workers who do report.

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# NOTES

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- 4 There are about 23-27 Chicken McNuggets® in a pound. (McDonalds, "The Fun Favorite," 2015, [www.mcdonalds.com/us/en/food/product\\_nutrition.chickenfish.483.chicken-mcnuggets-4-piece.html](http://www.mcdonalds.com/us/en/food/product_nutrition.chickenfish.483.chicken-mcnuggets-4-piece.html).) McDonald's recently introduced a "deal" of 20 McNuggets® for \$4.99, so roughly \$5.75 for a pound. (Fast Food & Restaurant Menus, "McDonalds Menu Prices," 2015, [www.restaurantmenuprices.net/mcdonalds-menu-prices/](http://www.restaurantmenuprices.net/mcdonalds-menu-prices/).) NPR reported that only about half the weight of a McNugget® is accounted for by meat, and *Mother Jones* says about 40 percent. (Maria Godoy, "Oh, So That's What Goes Into a McDonald's Chicken McNugget," *NPR*, February 6, 2014, [www.npr.org/sections/thesalt/2014/02/06/272112028/oh-so-thats-what-goes-into-a-mcdonalds-chicken-mcnugget](http://www.npr.org/sections/thesalt/2014/02/06/272112028/oh-so-thats-what-goes-into-a-mcdonalds-chicken-mcnugget); Tom Philpott, "40 Percent of Your Chicken Nugget Is Meat. The Rest Is...," *Mother Jones*, October 9, 2013, [www.motherjones.com/tom-philpott/2013/10/whats-chicken-nugget](http://www.motherjones.com/tom-philpott/2013/10/whats-chicken-nugget).) So, if the poultry-processing labor costs are about 10-12 cents a pound, about 2 percent (and 1 percent of the cost of the meat) of the retail cost of McNuggets® can be attributed to poultry-processing plant workers.
- 5 The commonly used phrase "line speed" refers to the maximum speed at which the evisceration line is allowed to run. Evisceration is an automated process that happens after slaughter and de-feathering. USDA sets the speed, with an eye toward ensuring food safety; they consider how effectively inspectors can check the carcasses for disease or contamination. This limit can then affect the speed of other processing lines later in the production process. It's important to note that the actual speeds for manual tasks performed by workers on the processing line vary by plant, by task, and by product. Refer to "Voices and Choices: Workplace Justice and the Poultry Industry," *Southern Changes* 23, no. 1 (2001), [http://beck.library.emory.edu/southernchanges/article.php?id=sc23-1\\_002](http://beck.library.emory.edu/southernchanges/article.php?id=sc23-1_002) and USDA, Food Safety and Inspection Service, "Inspection Responsibilities and Authorities for Reducing Slaughter or Evisceration Line Speed," <http://www.fsis.usda.gov/wps/wcm/connect/6575275d-81a4-4d16-97b8-715f5926cf02/06-15.pdf?MOD=AJPERES>.
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COVER: As the poultry industry thrives and grows, workers on the processing line do not share in the bounty. Their hands hang, cut, trim, debone the billions of chickens that end up on plates in kitchens, schools, and restaurants. And those hands often end up bruised, swollen, scarred, and sometimes useless. Roughly 250,000 poultry workers in the US earn low wages of diminishing value, suffer elevated rates of injury and illness, toil long hours in difficult conditions, and have little voice, opportunity or dignity in their labor. *Earl Dotter / Oxfam America*



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