**Zimmardi / Hennigan**

**Memo Jan. 23**

**Deb Nelson's big questions:**

What protections are missing for workers?

Who is responsible for the harm?

What are the consequences?

What are the legal protections for workers and what is lacking on the state and federal level?

My big question:

Who is not being covered by the OSHA data?

Are the OSHA people phoning it in or actually regulating worker safety?

For the weekend memo - one memo, two mighty students:

Reporting Tasks:

1) Pulaski County U.S. Department of Veterans Affairs had one hazard, but 1,000 employees were exposed: dig up this specific complaint, full text. Ask OSHA what it means that 1,000 people were exposed. Any idea how many were infected?

2) Look at PPP Data for Arkansas:<https://sba.app.box.com/s/ox4mwmvli4ndbp14401xr411m8sefx3i>

-How many Arkansas PPP recipients have OSHA violations? What is needed to do that comparison in R?

-Start building an R script that pulls in the OSHA and PPP data and matches it.

-<https://raw.githubusercontent.com/profrobwells/at_2020_fall_data_journalism/master/osha_data/data/closed_complaints.csv>

-Joining Dataframes in R:<https://www.youtube.com/watch?v=gLg4D9bMIyc&t=13s>

-Machlis: Ch. 7 Two or more data sets

-Data Wrangling:<http://learn.r-journalism.com/en/wrangling/>

-Joins in R:<https://bit.ly/2OFnGJ6>

3) Meat packaging: Latinx makes up 35% of worker population, despite only 18% of the national workforce. What are the demographics for Arkansas?

4) Find lawyers and union people who specialize in worker safety.

You may not finish these tasks but please start and report your progress.

Reading:

Keep going through the starter documents. Pick three additional articles each and summarize:

<https://www.notion.so/Background-Starter-Links-4b0554ce7460447892c09854c6e2b5b2>

Background on poultry and hospital industries in Arkansas. Provide 1-2 paragraph industry profile on the food processing and hospital industries.

<http://www.discover.arkansas.gov/Industry/Industry-Employment-by-Sector>

<https://www.ibisworld.com/united-states/economic-profiles/arkansas/>

<https://www.arkansasedc.com/why-arkansas/key-industries>

Look at Tyson's 10-K and see the various subsidiary names so we know businesses owned by Tyson. Do the same with George's, Smithfield, etc.

AdvancePierre Foods, Inc. dba Tyson Foods

<https://www.sec.gov/ix?doc=/Archives/edgar/data/100493/000010049320000132/tsn202010kq4.htm>

How to look up a 10-K document?

<https://profrobwells.github.io//Guest_Lectures/IRE.Companies/IRE_20.html>

Kaiser Health News:

<https://khn.org/news/article/workers-fired-penalized-for-reporting-covid-safety-violations/>

<https://khn.org/news/osha-investigations-workers-filed-nearly-4000-complaints-about-protective-gear-some-still-died/>

Reporting about Tyson in Madison County:

<https://alicedriver.substack.com/p/baby-its-covid-outside?token=eyJ1c2VyX2lkIjoxMTA4MjYzLCJwb3N0X2lkIjoyNTk5MTM3MSwiXyI6IjJSOTJFIiwiaWF0IjoxNjA4MjIyNDM0LCJleHAiOjE2MDgyMjYwMzQsImlzcyI6InB1Yi05MjI1Iiwic3ViIjoicG9zdC1yZWFjdGlvbiJ9.WwhyNibv-8t-5lXOTfqffJrUK8F-njhp8QOLh6ruvXM>

One article / video / podcast on Covid-19 in Arkansas that will help advance our understanding. Link and one paragraph explanation. Write for possible Tweet / Facebook post on site.

Weekly memos due Saturday, 11:59 p.m.

**Research:**

* Up to this point, I don’t think there is a Spanish complaint form. Some resources are available in Spanish [here](https://www.osha.gov/spanish-resources-covid-19.html).
* I called the main OSHA number and they didn’t provide any help on their level. -Hennigan
* Available resources include COVID-19 guidance PDFs for various workplaces, a few information posters and public service announcements.

OSHA complaint form [here](https://www.osha.gov/oshforms/osha7.pdf)

Hazard description/location: “Describe briefly the hazard(s) which you believe exist. Include the approximate number of employees exposed to or threatened by each hazard. Specify the particular building or worksite where the alleged violation exists.”

Reporting Tasks:

1) Pulaski County U.S. Department of Veterans Affairs had one hazard, but 1,000 employees were exposed: dig up this specific complaint, full text. Ask OSHA what it means that 1,000 people were exposed. Any idea how many were infected?

Specific Complaint:

Little Rock, AR Pulaski County

U.S. Department of Veterans Affairs

One hazard / 1,000 employees exposed

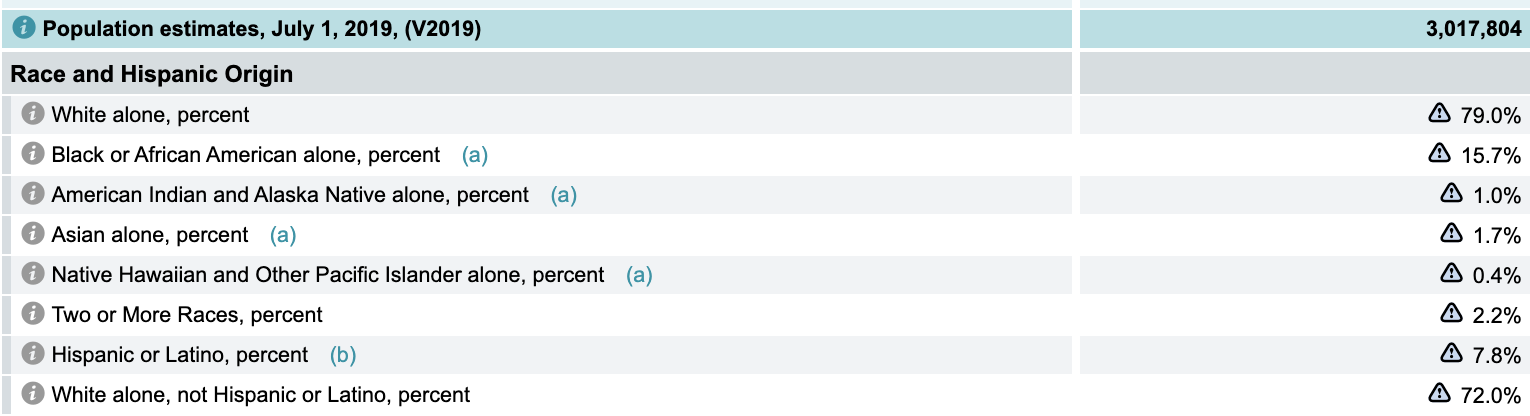
“Employees that fail fit-testing are provided a mask and face shield in place of N95. According to employees, this practice does not protect them from COVID-19.”

* Per the complaint form, those who file should include the approx. number of employees exposed to or threatened by each hazard. Presuming these numbers are not very accurate if they are based on the filer’s approximation.
* \*\*Looking for document

3) Meat packaging: Latinx makes up 35% of worker population, despite only 18% of the national workforce. What are the demographics for Arkansas?

**Arkansas Statewide Demographics**

Arkansas U.S. Census Bureau Quickfacts [here](https://www.census.gov/quickfacts/AR):



Statewide population breakdowns:

Calculations made from above screenshot

|  |  |
| --- | --- |
| Race and Hispanic Origin | Population Estimate |
| White | 2,384,065 |
| Black or African American alone | 473,795 |
| American Indian or Alaskan Indian alone | 30,178 |
| Asian alone | 51,302 |
| Native Hawaiian and Other Pacific Islander alone | 12,071 |
| Two or more races | 66,391 |
| Hispanic or Latino | 235,388 |
| White alone, not Hispanic or Latino | 2,172,8118 |

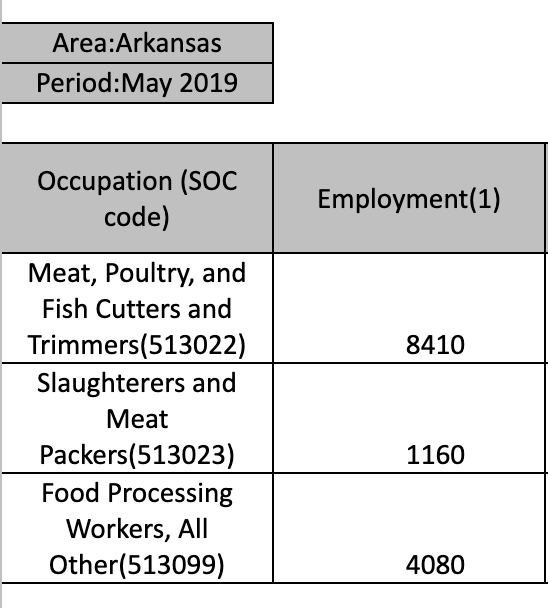
Arkansas workforce breakdown (highlights, not all listed in table)

Source: Bureau of Labor Statistics [here](https://www.bls.gov/oes/current/oes_ar.htm#00-0000)

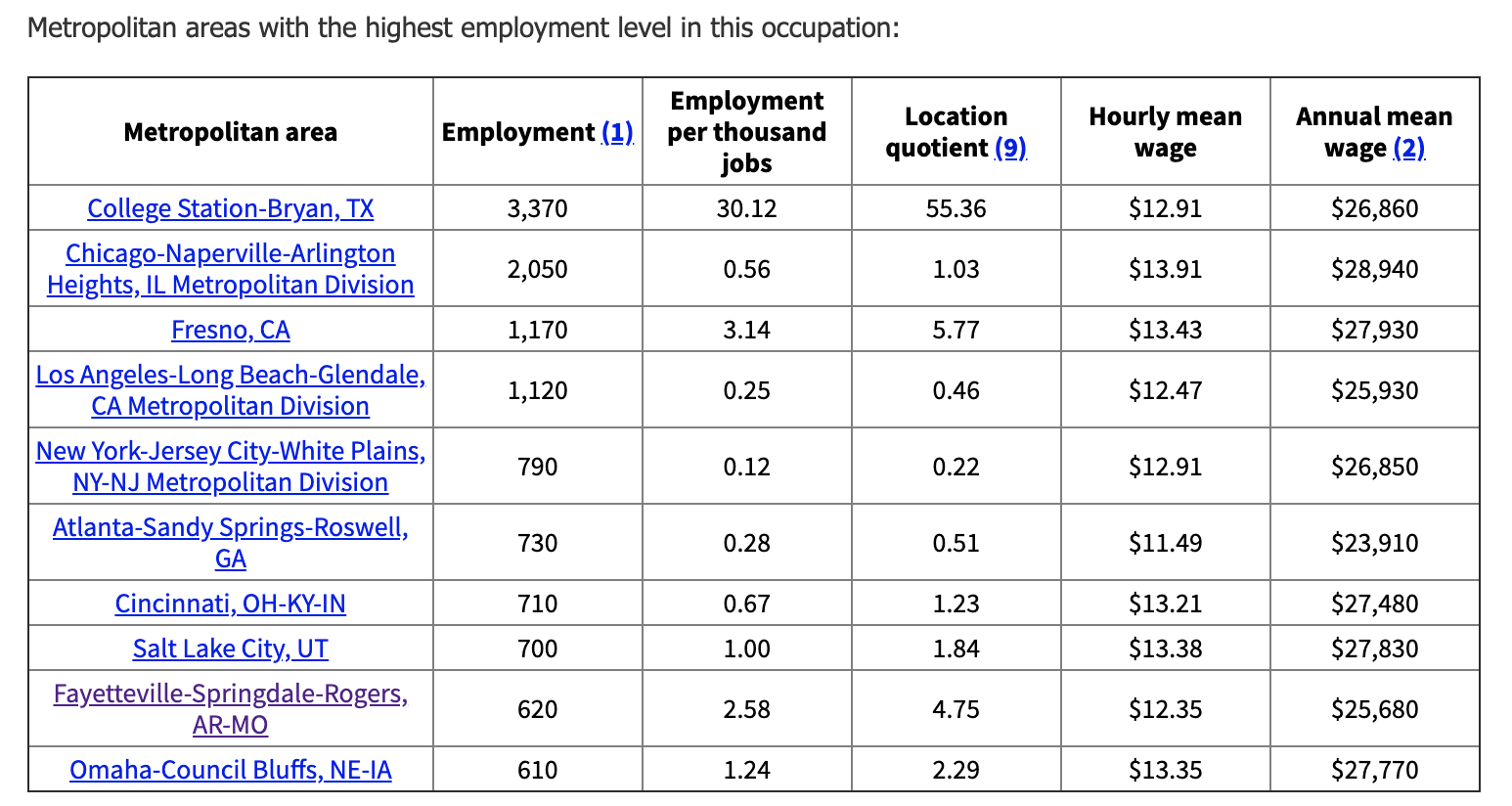
|  |  |
| --- | --- |
| Type of Occupation | Total Employed Statewide |
| All Occupations | 1,217,420 |
| Sales and related | 121,600 |
| Production occupations | 117,690 |
| Food prep and serving | 110,010 |
| Healthcare practitioners & technical occ | 80,540 |

More detailed info about Arkansas workforce breakdown from BLS in a Google Sheet [here](https://docs.google.com/spreadsheets/d/1JBwgYnh5po_iEqToF-M22W0Xl5z5mliBHO8bcOenucA/edit?usp=sharing)

Preview:

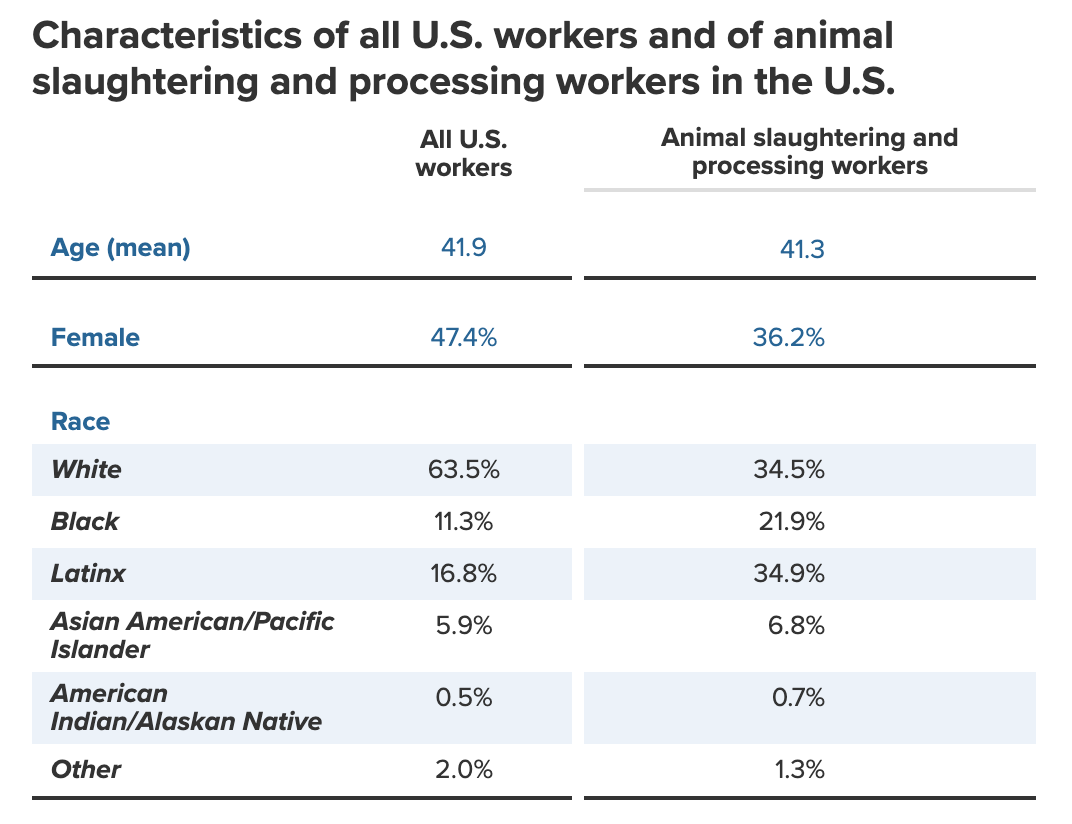
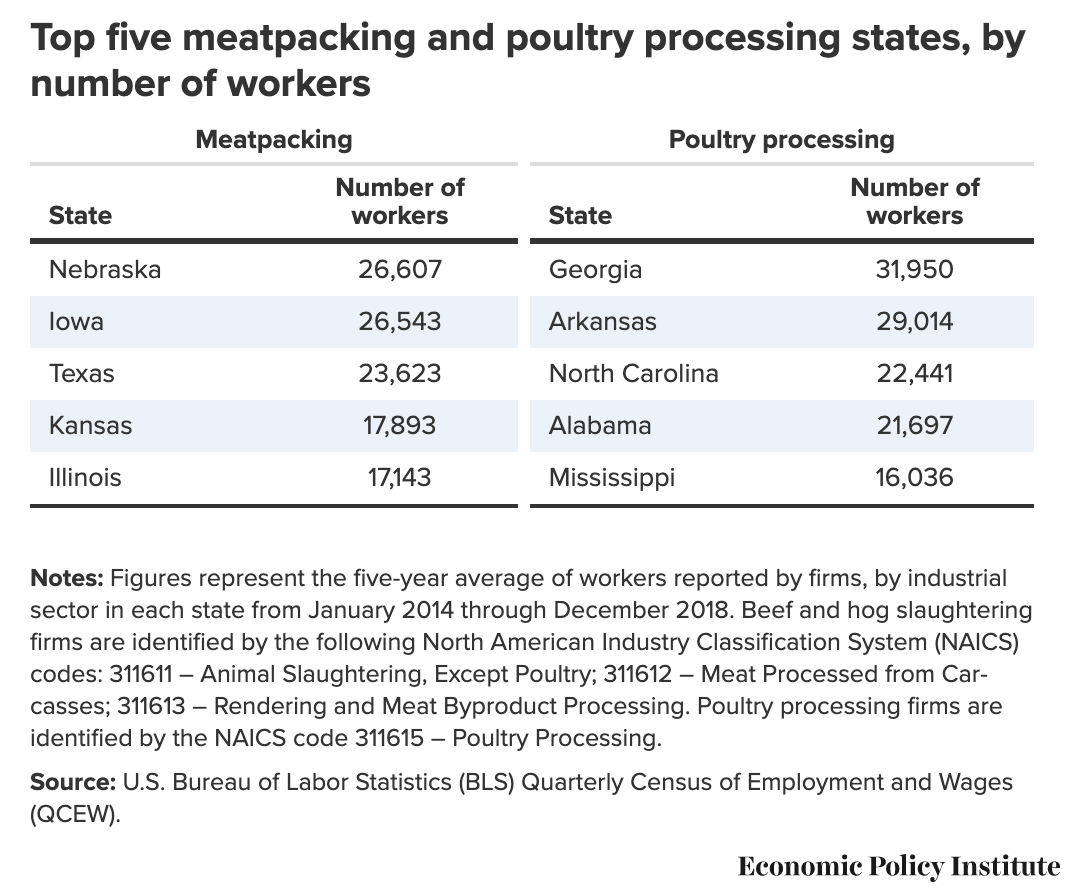


Fayetteville-Springdale-Rogers amongst the top 10 metropolitan areas with the highest employment level for slaughterers and meat packers in the nation [here](https://www.bls.gov/oes/2017/may/oes513023.htm):



Information about the poultry workforce demographics from the Economic Policy Institute [here](https://www.epi.org/blog/meat-and-poultry-worker-demographics/) published Sept. 24, 2020

* Arkansas has the second-highest number of workers in the poultry processing
* Latinx is 16.8% of all U.S. workforce, 34.9% of animal slaughtering and processing workers



\*\*I can’t find real breakdowns of the Arkansas poultry industry. I may be looking in the wrong place.

4) Find lawyers and union people who specialize in worker safety.

Possible Sources:

|  |  |
| --- | --- |
| Name/Law Firm/Union | Phone Number |
| Southeast Arkansas Human Development Center: [Department of Human Services](https://humanservices.arkansas.gov/facilities/southeast-arkansas-human-development-center/) | 870-226-6774 |
| [Arkansas AFL-CIO](https://www.arkansasafl-cio.org/) | 501-375-9101 |
| [Sanford Law Firm](https://www.arkansasovertime.com/) – They’re in Little Rock and specialize in defending worker rights | 501-476-6251 |
| [McMath Woods P.A.](https://www.mcmathlaw.com/practice-areas/employment-law/) | 501-502-0985 |

Other tasks:

-Abby look at one inspection, call and find out what’s going on

This is the only establishment that had an in-person inspection. We are trying to find out what is going on, and if anything has changed since the inspection.

|  |  |
| --- | --- |
| Establishment Name | Methodist Family Health, Inc. |
| Address | 2002 S. Filmore Street  Little Rock, AR, 72204, Pulaski County |
| Receipt Type | Phone |
| Date | 06/15/2020 |
| Formality | Non Formal |
| Inspection # | 1480088 |
| Hazard Description and Location | 1. Employees are exposed to coronavirus in that facility is understaffed due to employees testing positive for coronavirus and residential patients have also tested positive. Patients who have tested positive are not being isolated resulting in spread amongst the majority of patients and staff. Employees are provided gloves, body suites, face shields and KN95s. However, face shield usage is limited. 2. Employees are exposed to hazards associated with workplace violence due to limited staffing. |
| Contact Number | (501) 661-0720  <https://www.methodistfamily.org/> |
| Time of Contact/Notes | 1/22 2:00 p.m.: I was transferred to talk to someone else who did not pick up but their contact info was in their voicemail:  501-766-1260 [kreep@methodistfamily.org](mailto:kreep@methodistfamily.org)  I called this number at 2:10 p.m. and left a voicemail. |

Companies that are factory based/packaging locations:

* Langston Companies Inc. -West Memphis (Cotton bale packaging, also packaging bags)
* Roach Manufacturing Corporation -Trumann (Cotton)
* Sage V Foods -Stuttgart (Largest manufacturer of rice in the U.S.)
* Bryce Company -Searcy (food packaging like bags)
* Firestone Building Products Co. -Prescott (roofing membrane, flashing and seam tape)
* Tyson Foods -Pine Bluff (poultry)
* Central Moloney Inc. -Pine Bluff (transformers)
* Planters Cotton Oil Mill Inc. -Pine Bluff (cotton oil)
* Denso Manufacturing Arkansas Inc. -Osceola (HVAC assemblies and Engine Cooling Modules)
* Shearer’s Food Inc. -Newport (snack foods)
* Correct Craft -Midway (powerboats for waterskiing)
* Remington Arms Company -Lonoke (ammunition, firearms)
* Welspun Tubular -Little Rock (steel pipes and oil)
* Nestle Prepared Foods Company -Jonesboro (Nestle)
* Best Manufacturing -Jonesboro (sheet metal)
* Frito Lay -Jonesboro (snack products)
* Pepsi America -Jonesboro (beverages)
* Butterball -Huntsville (poultry)
* Alliance Rubber Company -Hot Springs (rubber bands)
* OK Foods -Fort Smith (poultry)
* Boar’s Head Brand -Forrest City (meats, cheese, condiments)
* Milbank Manufacturing Co. -El Dorado (electrical)
* Pilgrim’s Pride Corporation -De Queen (poultry)
* Twin Rivers Foods -Atkins (poultry)

**Readings**

|  |  |  |
| --- | --- | --- |
| **Article Link** | **Summary** | **Initials** |
| <https://alicedriver.substack.com/p/baby-its-covid-outside?token=eyJ1c2VyX2lkIjoxMTA4MjYzLCJwb3N0X2lkIjoyNTk5MTM3MSwiXyI6IjJSOTJFIiwiaWF0IjoxNjA4MjIyNDM0LCJleHAiOjE2MDgyMjYwMzQsImlzcyI6InB1Yi05MjI1Iiwic3ViIjoicG9zdC1yZWFjdGlvbiJ9.WwhyNibv-8t-5lXOTfqffJrUK8F-njhp8QOLh6ruvXM> | * Madison County, Arkansas, all the freshly dug graves are of the Hispanic community. * White poultry industry employers are claiming the Hispanic workers are bringing COVID-19 to the factory because they are having parties. (racist and untrue, per the story) | MH |
| <https://khn.org/news/osha-investigations-workers-filed-nearly-4000-complaints-about-protective-gear-some-still-died/> | * Flint, Michigan, hospitals without PPE although staff is working with COVID-19 positive individuals. * About a third of the 4,100 COVID-19 related OSHA complaints still open (June 30, 2020) * Nurses are forced to make masks out of garbage masks, use surgical masks instead of N95 or are not required to wear any PPE when working with COVID-19 patients. | MH |
| <https://khn.org/news/article/workers-fired-penalized-for-reporting-covid-safety-violations/> | * The management at a manufacturing company in New Jersey did not take COVID-19 seriously, forcing workers to not wear protective masks and forcing them to quit if they do not return to work. * One worker had to quarantine and did not want to return to in-person work out of fear or the virus, and he was forced to resign. He filed a complaint under the whistleblower law. * 1,744 covid complaints filed to OSHA between April and August, and 20% were marked for investigation, but only 2% were resolved. Over half were not even looked into and immediately dismissed. | AZ |

Background on poultry and hospital industries in Arkansas. Provide 1-2 paragraph industry profile on the food processing and hospital industries.

<http://www.discover.arkansas.gov/Industry/Industry-Employment-by-Sector>

<https://www.ibisworld.com/united-states/economic-profiles/arkansas/>

<https://www.arkansasedc.com/why-arkansas/key-industries>

Out of all 50 states, Arkansas is ranked as the 37th highest economic exposure to COVID-19. This was calculated using the level of COVID-19 exposure of employees in different sectors. One of two sectors that have a high economic exposure is the accommodation and food service industry. In November 2020, there were 95,400 employees in this industry. In November 2019, there were 107,200 employees, which shows a decrease of 11,800 employees.

Within the accommodation and food service sector, the food and agribusiness industry in Arkansas has 360 food and agribusiness companies that employed 55,500 people. (This industry was not listed in the first two links, so I am grouping it with the food service sector).

The health care and social assistance sector in Arkansas has 171,800 employees as of November 2020. In November 2019, there were 179,200 employees, which shows a decrease of 7,400 employees. This sector has a medium economic impact to COVID-19.

Sectors in Arkansas that have a high or medium-high economic exposure to COVID-19 makeup 46% or the workforce in Arkansas, or 643,372 employees, and this includes both the accommodation and food service, and the healthcare and social assistance sectors.

Look at Tyson's 10-K and see the various subsidiary names so we know businesses owned by Tyson. Do the same with George's, Smithfield, etc.

AdvancePierre Foods, Inc. dba Tyson Foods

<https://www.sec.gov/ix?doc=/Archives/edgar/data/100493/000010049320000132/tsn202010kq4.htm>

How to look up a 10-K document?

<https://profrobwells.github.io//Guest_Lectures/IRE.Companies/IRE_20.html>

|  |  |
| --- | --- |
| Company Name | Businesses Owned by Company |
| Tyson  [10-K Form](https://www.sec.gov/ix?doc=/Archives/edgar/data/100493/000010049320000132/tsn202010kq4.htm) | Tyson, Jimmy Dean, Hillshire Farm, Ball Park, Wright, Aidells, ibp and State Fair |
| George’s (Could not find the 10-K form) | Ozark Mountain Poultry, Inc. and George’s Prepared Foods, LLC |
| Smithfield  [10-K Form](https://www.sec.gov/Archives/edgar/data/91388/000009138816000064/a201510k.htm#sA0A371644FA0590EBA24D44F24F9B735) | Eckrich, Nathan’s Famous, Farmland, Armour, Farmer John, Kretschumar, John Morrell, Cook’s, Gwaltney, Carando, Margherita, Curly’s, Healthy Ones, Morliny, Krakus and Berlinki |

One article / video / podcast on Covid-19 in Arkansas that will help advance our understanding. Link and one paragraph explanation. Write for possible Tweet / Facebook post on site.

|  |  |  |  |
| --- | --- | --- | --- |
| Link | Paragraph Explanation | Tweet/Facebook Post | Initials |
| <https://www.thv11.com/article/news/health/coronavirus/arkansas-restaurant-owner-covid-19-cluster/91-dbdaea5d-8185-4d5e-a535-fb926660f871>  (This is both an article and short news video) | A Little Rock restaurant owner, Capi Peck, is calling out the ADH for not properly notifying workers in her restaurant of COVID-19 exposure. In her restaurant, Trio’s Restaurant, there was a group of nine workers who all had COVID-19. In the twice-weekly ADH report for businesses with active cases, there have been no reports of outbreaks in the accommodation or food service industry. | COVID-19 clusters in restaurants cause fear for both the workers and the customers. A Little Rock restaurant owner said she feels ignored by Arkansas Dept. of Health contact tracers who did not contact her for exposure to COVID-19 before testing positive.  (For this post I can make charts from the ADH business data: <https://www.healthy.arkansas.gov/images/uploads/pdf/01.21.21_Occupation_COVID_Cluster_Summary.pdf>) | AZ |
| <https://www.arkansasbusiness.com/article/134379/another-arkansas-lawmaker-tests-positive-for-covid-19> (short article) | Arkansas has had the second-largest COVID-19 outbreak in state-level legislators. At least 24 have tested positive since the pandemic, three of which occurred after the lawmakers met last week. | Arkansas has had the second-largest outbreak amongst state-level legislation nationwide with at least 24 lawmakers infected since the pandemic began. Three Arkansas lawmakers tested COVID-19 positive after a meeting last week. | MH |
| <https://talkbusiness.net/2021/01/survey-results-highlight-covid-business-impacts/> (short article) | Arkansas has the second-lowest percentage of government-mandated business closures during the COVID-19 pandemic.  Nationwide, the closure rate was 19%, Arkansas’ rate was 8%. | At 8%, Arkansas has the nation’s second-lowest percentage of government-mandated business closures during the pandemic. The nationwide rate is more than double Arkansas’s at 19%. | MH |