

**Appropriations Subcommittee Hearing: Health and Safety Protections for Meatpacking,  
Poultry, and Agricultural Workers**

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**March 2, 2021**

**Introduction**

Chair DeLauro, Ranking member Cole, and Members of the Subcommittee:

Thank you for holding this hearing and for the opportunity to testify before you today regarding health and safety protections for meatpacking, poultry, and agricultural workers.

I come before you today as the proud daughter of a meat-packing plant worker and immigrant parents, to share the appalling working conditions which I and many others have witnessed within the past year. I come from a small, rural community of 7,000 people called Crete, Nebraska. My father has worked for Smithfield Foods in Crete for a quarter of a century. I know of no greater loyalty and commitment than that of his and his colleagues to keep food on everyone's table. My father enjoys his job; he is a model employee and takes pride in his work, and it has been horrifying to see the way he and all meat-packing workers have been treated, especially within this past year.

As many of you know, in late April of last year, COVID-19 began to ravage meatpacking plants. This came as no surprise to many of us who are familiar with the industry, as meat-packing plants are known hotbeds for the spread of a virus such as COVID-19. Workers have always worked shoulder-to-shoulder and directly across from each other, and common areas including bathrooms, locker rooms, and cafeterias are small and congested. Ventilation systems are old and outdated, and toilet paper and soap are always in short supply in the restrooms. Other viruses have spread through these facilities before, and it was well documented that a virus such

as COVID-19 would have widespread, damaging effects on the health and safety of workers and communities at large. However, in the year 2020, as I heard companies like Tyson, JBS, and Smithfield pride themselves in “feeding America” and “feeding the world,” I didn’t expect to see such a blatant disregard for the lives of frontline workers who make that happen.

My father and other family members have worked for Smithfield Foods in Crete for decades. Last year, I and some close friends began to hear of the horrifying mishandling of the pandemic inside these facilities. We heard from our parents and other workers that they had no personal protective equipment, that they were not told when they had been exposed to COVID-19 because the company was not conducting contact tracing, and that they had very little access to testing. Our parents and many meat-packing plant workers were too scared to speak out. They were afraid they would lose their jobs, their source of income, and their health insurance all in the middle of a pandemic. Instead, we - their children - organized and spoke out on their behalf. We called ourselves the “Children of Smithfield.”

While you should be hearing what I am sharing from workers directly, we must recognize that the largely immigrant and refugee workforce making up the meat-packing industry often experiences language barriers, has less access to technology, has fears about legal status, and cannot leave work in the middle of the day to attend a public hearing - not to mention the retaliation they would likely face from their employer. That is why I am so honored and humbled to come before you representing worker families and carrying the responsibility of sharing the raw, honest truth of what many Nebraskan and American families have experienced this year.

## **A Gross Mishandling of COVID-19**

Let's rewind to April of last year, when my father told me the company had given him and his colleagues hairnets, attempting to pass them off as personal protective equipment. If its use had not been endangering the lives of workers like my father's, it would have been laughable. We later learned that Smithfield workers all across the country had been asked to wear these hairnets on their faces.

Then, after public pressure, workers were finally issued disposable face masks, but over the summer months, we heard chilling accounts from workers in many plants across Nebraska saying they had to work with blood-soaked masks because they were not replaced after becoming soiled with the blood from the animal meat they process. Additionally, workers reported sweating through their masks and onto this very meat. Still to this day, some workers say they do not get new masks when they become wet or soiled.

In addition, Smithfield failed to sufficiently conduct contact tracing and, in lieu of this information, workers had to turn to each other. The parent of one of our members told us she had spoken to a Human Resources representative because her coworker had called to tell her she had tested positive for COVID-19, and encouraged her to get tested. The representative told her she could get tested, but that she should not disclose her test results with anyone besides the Human Resources department.

To make matters worse, in May Nebraska's governor ordered public health departments to withhold data regarding the number of positive COVID-19 cases at individual meatpacking plants. Thus, workers were put in a situation where the employer was not telling them of exposures, health departments could not tell them, and even these companies had asked employees not to tell each other.

As if the lack of PPE and transparency were not enough, many workers have been forced to go to work, even while sick with COVID-19. In fact, they were incentivized to do so. Companies like Smithfield offered their employees what they called a “responsibility bonus” if they showed up to work in the middle of a pandemic, but only if they didn’t miss a single day, arrive late, or leave work early for any reason.

However, the pressure didn’t stop there. Some workers who became ill were expected to return quickly. One of my own neighbors, who is a Smithfield worker and tested positive, was forced to return to work before he fully recovered. He had trouble breathing, especially while conducting his physically demanding work, and he has continued to have health issues even months later.

Oftentimes, even when workers tested positive for COVID-19 and stayed home to quarantine, they were not paid sick leave. One woman, whose daughter contacted us, had to fight for her pay because Smithfield was refusing to pay her even when she was entitled to it.

### **Pre-existing, Dangerous Working Conditions**

Our parents and all meat-packing workers were working in dangerous conditions prior to COVID-19. Repetitive motions cause stress on the body, and hand and shoulder injuries are not uncommon. For example, my mother, who also worked at Smithfield when I was a child, injured her arm and shoulder on the job, so she was forced to find employment elsewhere.

COVID-19 exacerbated these already dangerous conditions. With high rates of worker absenteeism, line speeds increased significantly to make up for lost production. Unfortunately, workers have experienced many more injuries this year compared to previous years.

In Crete, at least a handful of Smithfield workers have died of COVID-19, and in these months, we've also heard horrifying stories of workers being severely injured or being killed on the job.

Last June, a worker was injured because a 70 lb. box fell on her.

In September, a machine that was loosely installed fell on one worker's hand. He had to be taken to the emergency room, and had one finger amputated. He continues to work because his livelihood depends on his paycheck.

Furthermore, in December, one worker at the Crete distribution facility was killed when storage shelving collapsed on him after an incident involving a forklift. Another worker was severely injured and sent to the hospital.

It is unfathomable that our communities have lost members because of corporate negligence. In all of these cases, Smithfield has been, and continues to be negligent. The fact of the matter is that Nebraskans, and Americans at large, are dying at the hands of negligent corporations that value profits over people.

### **OSHA's Failed Response**

In late May of last year, when we still had access to COVID-19 data pertaining to individual plants in Nebraska, at least 139 Smithfield workers had tested positive for COVID-19, and I was worried my father could be next. I filed an OSHA complaint expressing the hazardous working conditions. I received a call from an OSHA official from the Omaha, Nebraska office who, following up on my complaint, told me that OSHA did not see a reason to inspect the plant because, according to the information that Smithfield had provided, the company was doing

everything possible to contain the virus. He told me “to be fair, this is happening at plants all over the country,” as if that should be the standard.

When I told the OSHA official that social distancing was not being enforced in communal areas such as during temperature checks, locker rooms, the cafeteria, and bathrooms, he said that if the employer was telling workers what they had to do, and the employees were not following the rules then that was considered employee negligence and was the employee’s, not the employer’s, responsibility. He said, “the employer can’t sit there and watch them all day.”

He added that as long as the employer was providing information on the hazards, they were in compliance. I said I knew that they were not providing employees with information regarding when they had been exposed to COVID-19 or telling them if they have been in contact with someone who tested positive, and that the company was not conducting contact tracing. He said that he wasn’t sure it was required that the employer conducted contact tracing.

I told him the plastic barriers in between workstations were movable and the employer was not requiring that they stay in place. He said that sometimes those barriers are not required to be fixed but as long as they were there, they were in compliance.

I referenced workers sweating through the masks and onto the meat, and he said that workers should be washing their hands constantly and sanitizing often, while completely ignoring the fact that workers are often denied bathroom breaks and have limited time during breaks to remove and put on their work gear, use the restroom, eat, and utilize that time to actually rest. Instead, they are expected to work like machines.

Towards the end of the call, I asked if these complaints would go into a file. He said they would and that there were more complaints.

OSHA closed my complaint because, according to the official I spoke with, there was nothing to indicate that an inspection needed to happen. He instructed me to tell my father to “wear his mask and keep his distance.” He was referring to the same company that had issued its workers hairnets to use as face masks and that refused to implement social distancing in work areas - a company that had proven to be irresponsible in its handling of the coronavirus.

Much like how Smithfield blamed the spread of COVID-19 on its workers’ living conditions, OSHA did the same. OSHA decided the company was in compliance without doing an inspection or talking to workers. However, workers don't set the working conditions. They don't build the lunchrooms that are crowded with people. They don't require workers to go into crowded locker rooms. They don't decide when workers should get masks. They do not get to choose where to stand on production lines, and they do not decide on the engineering controls for ventilation systems. The company is the decider.

## **Conclusion**

Many of the horrifying work conditions you have heard us mention, remain true. Today, workers entered a place of work where they could not socially distance on the production line. They are still working shoulder to shoulder. The plastic barriers installed in between workers do little more than provide companies with a good public relations photo opportunity.

It is perturbing that so many of my loved ones have been deemed essential, yet treated as expendable. During this time, they have helped keep the world fed, and their lives have been greatly undervalued. The best way we can show any amount of gratitude is to ensure they have adequate protections moving forward. So, today, my only request is that you consider the safety of American workers and ensure that each day, when they clock into work, whether that is for an

early 5 a.m. shift, as I've watched my father do for my entire 27 years of life, or a late night 11p.m. shift, they walk into a place of work that is safe and upholds human dignity.