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Good afternoon Chairman Clyburn and members of the Select Subcommittee on the Coronavirus Crisis. I am honored and deeply grateful for the opportunity to testify today. I am Debbie Berkowitz, a fellow at Georgetown University's Kalmanovitz Initiative for Labor and the Working Poor, and a former senior official at the Occupational Safety and Health Administration for six years from 2009-2015. I was also the former safety and health program director at the National Employment Law Project, and I spent over two decades working for and leading union based worker safety programs, including at the United Food and Commercial Workers Union, where I advocated and negotiated for improved safety conditions for our nation's meat and poultry workers.

My testimony will focus on the failure of the giant meat and poultry companies to mitigate the spread of COVID-19 in their plants and the devastating cost to workers, their families and their communities. From the beginning of the pandemic, it was clear that exposure to COVID-19 in meat and poultry plants was a significant driver of the disease among workers and their communities. The National Academy of Sciences published a study finding that in just the first few months of the pandemic, the unmitigated spread of COVID-19 in meat and poultry plants was associated with between 236,000 and 310,000 COVID-19 cases (6 to 8% of total) and 4,300 to 5,200 deaths (3 to 4% of total) as of July 21, 2020.ⁱ

The meat and poultry industry was already unsafe when the pandemic began, and safety conditions deteriorated rapidly as COVID-19 swept through the plants. More workers have died from COVID-19 in the meat and poultry industry than died from all work related causes in the industry in the past 15 years.ⁱⁱ Let's be clear: The wildfire spread of COVID 19 among meat and poultry workers was not inevitable, it was preventable. In fact, it was a direct result of an industry, unlike almost all other industries in the United States, that decided to prioritize their own profits for a few, over the health of their workers and the health of the communities in which they operate. Countless other big industries chose a different path in this pandemic, prioritizing worker safety and retooling to implement recommended mitigation measures at the beginning of the pandemic.ⁱⁱⁱ However, though the meat industry knew what they needed to do—this was not rocket science after all, the industry failed to implement the measures needed to mitigate the spread of the disease in their plants. Further, the big players in the industry – the biggest meat companies in the world in fact-- used their political muscle with the previous Administration to assure that they could get away with failing to mitigate the spread of COVID 19 in their plants.

To underscore how the meat industry was an outlier among all American industries operating during the pandemic, it is worth looking at some data gathered by the U.S. Department of Agriculture's (USDA) Economic Research Service (ERC) . The USDA ERC published a working paper where they looked at COVID-19 related deaths and illnesses during the first four months of the pandemic in communities near

meat packing plants and compared them to other communities dependent on a different single industry and concluded that: In mid-April 2020, COVID-19 cases in meatpacking-dependent rural counties rose to nearly 10 times the number in comparison to rural counties dependent on other single manufacturing industries.^{iv}

This tenfold increase in cases was a direct result of the meat industry's decisions to laser focus on their own profits – even in plants where over 1,000 workers became sick in just a few months, hospitals were overwhelmed and workers died. While other industries retooled and reconfigured their workplaces at the beginning of the pandemic, the meat industry kept things the same and had workers congregating together on the lines and in common spaces. At every turn, the industry prioritized profits and keeping those lines running at any cost. As one local official said about the illness and deaths in meatpacking plants from COVID -19: ‘Those deaths were needless, absolutely needless. That was just poor policy, poor implementation, and bad defensive moves by a corporate greed kind of approach.’^v

Our country's meat and poultry workers were deemed ‘essential’ in this pandemic and they were among the working heroes that were key to assuring that the rest of us could stay at home. The over whelming majority of meat and poultry workers are Black and immigrant workers. But it was not inevitable in this pandemic that the workers who made sure our supermarket shelves were stocked with food must also sacrifice their health and their lives. It was not inevitable that those working in the slaughter industry must also be subjected to these greater risks. The meat industry deceptively painted a false choice to the public—when, as you will hear later in my testimony, they stated they could either feed America or protect workers during the pandemic.

That was a false choice. They could have and should have done both.

We cannot lose sight of the fact that in addition to this being a workers' and community safety and health issue, it is also a racial justice issue. The meat and poultry industry is built on the labor of workers of color.^{vi} Meat and poultry plants are located in largely rural areas where they seek to hire the nation's most vulnerable workers.^{vii} Many of the workers in the industry are refugees and, in most plants, you will find dozens of languages spoken by workers.^{viii} Meat and poultry plants are among the harshest working environments in U.S. manufacturing. In plants across the country, workers stand close together, side-by-side, on both sides of long conveyor belts, in cold, damp, dangerously loud conditions, holding knives and scissors. They make the same forceful cuts or movements thousands of times a day. A typical poultry worker handles dozens of birds **per minute**. In the holiday months, workers put in eight to 10-hour days, six or seven days a week to meet demand.^{ix} Turnover in these plants can average 60%; but it can run as high as 150%.^x (During the pandemic, companies relied on temporary workers to staff their lines as so many of their own workers got sick from COVID-19 when the companies failed to protect them—but then the temporary workers got sick as well.)

When COVID-19 spread through the plants, workers were very terrified about speaking up—they feared they would be retaliated against. So it was their children, their unions, their families, and community-based organizations, like the Children of Smithfield workers, who sounded the alarm about the spread of COVID-19 in the plants and fearlessly fought for better protections.^{xi} Employers' failure to ensure workers' safety meant that COVID-19 needlessly spread throughout communities of color at rapid rates.^{xii} This is unacceptable.

A FALSE CHOICE: The Meat and Poultry industry Refused to Implement Recommended Measures to Protect Workers

Back in mid-February 2020, at the beginning of the pandemic in the United States, the Centers for Disease Control released guidance^{xiii} for businesses on how to mitigate the spread of COVID-19 in workplaces. If the meat and poultry industry had adopted this and the additional guidance that followed over the next few weeks from the CDC —the number of COVID-19 related infections and deaths associated with the industry would be an order of magnitude less. But that is not what happened.

That first CDC guidance for businesses was clear that to mitigate the spread of COVID 19 in the workplace employers needed to minimize contact between workers by implementing social distancing (keeping six feet apart) and increase hand washing. As companies like Ford motor company, for example, and other industries retooled to adopt this guidance, as supermarkets reshaped how they do business, as restaurants and offices shut down, the meat industry did not change. You will hear repeatedly today at the hearing how workers were-and are still-crowded together on production lines -- working shoulder to shoulder, crowded in break rooms, crowded in locker rooms and in the bathroom. It is as if the meat industry decided to just look the other way—their greed to increase their profits driving every decision.

By the third week in March 2020, I was already hearing from workers and their families that COVID-19 was spreading like wildfire in meat and poultry plants. Workers were not allowed to stay six feet apart from other workers – not when they clocked in, not when they went to the locker room, not when they were on the line. They were packed together.

While the entire country was practicing social distancing, the meat industry ignored and mocked that recommendation. In fact Kenneth Sullivan, the CEO of Smithfield --- the largest hog producer and pork processor in the world with \$16.6 billion in revenue in 2020^{xiv}--- told the Governor of Nebraska in mid-March, before a massive COVID-19 outbreak at its South Dakota pork plant, that “social distancing is a nicety that makes sense only for people with laptops.” He went on to say that he had “grave concerns” that stay-at-home orders were causing “hysteria.” “We are increasingly at a very high risk that food production employees and others in critical supply chain roles stop showing up for work,” Sullivan wrote. “This is a direct result of the government continually reiterating the importance of social distancing.”^{xv}

The industry was also not shy at telling the CDC that they were **not adopting** one of the CDC’s key safety recommendations to stop the pandemic from spreading among plant workers. When asked by CDC to list the protective measures they were implementing in their plants during the first few months of the pandemic, not one of over 100 meatpacking or poultry plants had implemented social distancing on the lines.^{xvi}

Not one.

Meanwhile in auto plants and other ‘essential’ factory industries, workers were six feet apart and in supermarkets the public was asked to stay six feet apart. Just not in the meat and poultry industry. The disease was ripping through these plants because workers were packed in -- in every aspect of their job — close together.

The CDC guidance to implement physical distance between workers was not the only early CDC worker protection guidance the meat industry didn’t want to implement.

Another key COVID-19 related recommendation the CDC made in March 2020 was that workers with COVID-19 should self-isolate and that workers who were potentially exposed to an infected individual needed to quarantine as well. This was important because it was well established by early March 2020 that there is significant risk of transmission from exposed workers who could be asymptomatic or presymptomatic.

As with social distancing, the meat industry thumbed their noses at much of this guidance as well. They would never implement social distancing throughout the plant, and the industry wasn't about to send exposed workers into quarantine—regardless of the cost to workers' lives, their family or their communities.

The industry clearly opted to do what they do best: they used their enormous corporate political capital to lobby their friends in power to help them avoid complying with CDC worker safety recommendations. JBS, the largest meatpacker in the world, with \$270 billion in revenue in 2020^{xvii}, made the news when they decided to brazenly ignore the recommendations by CDC and the local health departments to mitigate the spread of COVID 19 in their plants.

In late March 2020, the Weld County Health Department in Colorado launched an Investigation into the outbreak of COVID -19 at the JBS Meatpacking plant in Greeley, Co. The county had information that almost 200 of JBS employees or their family members had COVID-19. The County Health Department told the JBS plant to implement protective measures or they would shut them down. By that first week of April four workers were already sick or dying. The County Health Department told JBS they must space workers six feet apart and make sure sick workers were kept out of the workplace. They also told JBS to notify any employee that was exposed to a coworker positive for the coronavirus that they be allowed to self-isolate for 14 days.^{xviii}

When conditions did not improve, the Weld County Health Department and the Colorado State Health departments issued a closure order to JBS. On the day the closure order was sent, according to the Washington Post^{xix}, JBS reached out to the White House, seeking its help and intervention. Low and behold, the next day, the previous Administration's CDC director Robert Redfield himself called the director of Colorado's health department regarding the Greeley plant and the closure order. In an email to the Weld County Health Director, the state Health Department Director summarized the call: "JBS was in touch with VP (Pence) who had Director Redfield call me." Redfield wanted the local and state health authorities to send "asymptomatic people back to work even if we suspect exposure but they have no symptoms."

Shortly after this interference from Washington, the plant was reopened with few mitigation measures and with exposed workers—who were potentially infectious but asymptomatic-- remaining on the job. As a direct result, COVID-19 continued to spread in the plant—sickening 290 workers as of the fall and killing 6 workers. A month later, the Director of the Weld County Health Department, Dr. Mark Wallace, who had been in that job for 20 years, quit. JBS, the largest meatpacker in the world, was getting away with endangering workers.

But it was not only their own workers that the meat industry decided not to protect. Their callousness and indifference to protecting workers extended to the USDA's Food Safety and Inspection Service (FSIS) Inspectors who work in almost every meat plant in the country. When USDA decided to protect their food safety inspectors by not sending exposed inspectors to other plants, once again the meat

industry began lobbying the last administration to change their safety practices. In an email on April 15th, obtained by Public Citizen from a FOIA request, a senior official of the North American Meat Institute (NAMI) wrote to USDA, stating: 'We can't start sidelining individuals at FSIS or in the industry because they may have been exposed. We all *may* have been exposed at this point.'^{xx}

Once again, the industry makes clear they were not about to follow the guidance on how to protect workers in their plants from COVID-19 -- even as the number of those sick and dead in their plants was climbing.

The meat industry's lobbying efforts to avoid implementing CDC guidance that began with JBS calling the Vice President, led to a stunning reversal by the CDC of their original guidance. In April 2020, as the CDC was intervening on behalf of JBS to allow the Greeley plant to be opened with little or no mitigation measures, CDC reversed its March 8th guidance on the need to quarantine exposed workers in meat plants. The new CDC guidance for the meat industry (and other critical infrastructure industries) allowed exposed workers back in the plant. This was a total reversal of the policy CDC had for the rest of the public and for all other businesses—which stated clearly that people who have been exposed to COVID-19 need to quarantine for 14 days. This was important because it was well established by early March 2020 that there is significant risk of transmission from exposed workers who could be asymptomatic or presymptomatic. This reversal assured that tens of thousands more meat workers would get sick, many more would die, and it would spread quickly into their communities.^{xxi}

When CDC recommended on April 3, 2020 that the public should wear masks to mitigate the spread of COVID-19, the meat industry was very slow at providing masks to workers congregated together throughout the facility. In some plants workers were told to use their hair nets as masks. At a Tyson pork plant in Iowa, local officials and workers said that employees were using bandannas and sleep eyewear as facial coverings, while others had no facial coverings at all.^{xxii} Tyson foods 2020 Fiscal revenue was \$43.2 billion (an increase over 2019).^{xxiii}

Three weeks later, on April 25th, the Washington Post broke the major story that JBS, Tyson and Smithfield, three of the nation's largest meat processors, failed to implement the basic CDC recommendations for social distancing, masks and more and thus turned their facilities into infection hot spots. Already, the big three had to close 15 plants because of these major outbreaks.^{xxiv}

In fact, one of the largest plants to close was the Tyson plant in Waterloo Iowa, which produces pork for export to China, and where 1,500 workers got sick and 8 died – in just one plant^{xxv}. This is the same plant where managers had a callous betting pool on how many workers would get infected.^{xxvi}

Instead of this news article embarrassing some of the richest companies in this country and leading them to implement real safety measures, Tysons Food took out a full page add in major newspapers warning of meat shortages. The message was clear: If they had to protect workers and communities and shut down plants to mitigate the spread of this deadly virus -- they would not be able to feed America.^{xxvii} They wanted to be able to continue to operate—regardless of the cost to their largely Black and immigrant workforce and their families – and not have to implement the effective measures that would mitigate the spread of COVID-19.

That was a false choice. This is not America of the "Jungle", this is 2020 – when sickening and killing workers cannot be part of any company's or industry's business plan.

Behind the scenes at the same time, the industry trade group, NAMI, was lobbying the White House for an Executive Order that would prevent public health agencies from interfering with the operations of meat and poultry plants—so they could keep their plants operating regardless of the costs in sickness and death.^{xxviii} President Trump was persuaded by Tysons’s full page add and the next day issued an order that ostensibly invoked the Defense Production Act to keep meat plants open, but didn’t actually prevent local health departments from closing plants.

Yet the meat industry acted as if this order required that they stay open.

When local or state health departments wanted to close meat and poultry plants where hundreds of workers were sick and many workers had died, demanding that the plants implement effective mitigations measure to stop the spread of COVID-19, the plants called up USDA to intervene on their behalf. The USDA then intimidated health departments to make sure plants would stay open or if they had been closed to make sure they would open immediately in many states including South Dakota, Utah, California, Illinois and other states—despite no social distancing and the lack of other measures to protect workers.^{xxix}

This was not about feeding America: this was about allowing the industry to choose to prioritize profits for a few over protecting the health and lives of workers and communities of color. If the plants had implemented protective measures to mitigate against the spread of COVID-19 right from the beginning of the pandemic, the industry would have avoided any need to close their plants.

Also in April, as the disease spread in the plants, the big meatpackers like Tyson Foods, JBS, and Smithfield were so desperate for workers that they recklessly implemented policies that incentivized sick workers to come back to work, no matter the risks and regardless of whether the workers were infected or not. Though CDC guidance was clear that to mitigate the spread of COVID-19 in the workplace and in the community, sick workers should be removed from the plants and quarantined,^{xxx} much of the meat and poultry industry decided to ignore that guidance as well. These policies, some that lasted well into the summer, provided a \$500-\$600 bonus to workers who worked every day in a month.^{xxxi} For some companies, workers could not miss a day in three months to qualify. If workers missed one day, they were denied the bonus. For meat and poultry workers whose average pay is \$13.60 an hour, this a big incentive to come back to work even if you are sick.^{xxxii} The companies snidely called these bonuses “hazard pay” or “responsibility bonuses.”^{xxxiii} Further, companies also tried to intimidate workers to come back to work. JBS sent letters to all the employees in an Iowa packing house, where COVID-19 was spreading and a worker had already died, warning of consequences for excessive absenteeism.^{xxxiv xxxv}

These policies assured that COVID-19 would continue to sicken and kill meatpacking and poultry workers—and those in their community.

In late April, the CDC sent a team into the Smithfield hog slaughter plant in Sioux Falls, South Dakota. The company had closed the plant—over 1,000 workers eventually got sick and many died. The CDC was requested to come into the plant by the South Dakota Department of Public Health and asked to come up with recommendations for the plant on what measures needed to be implemented to mitigate the spread of COVID-19. I know this story from the inside, because one of scientists involved in this study ended up calling me – but much of it eventually made its way into the press. What happened was a story about corporate greed and raw power trumping science and worker safety—all unethical and

one that resulted in the disease continuing to spread in the plant. After the CDC scientists toured the plant, they made their recommendations – which were reviewed by officials high up at the National Institute for Occupational Safety and Health, wrote the report listing the recommendations and sent it to the South Dakota Department of Public Health. Before the report was made public or sent by CDC to the company, the report made its way into the hands of Smithfield, who launched a huge lobbying effort in Washington D.C. to get this report changed so that no recommendation would use words that could be construed as requiring the plant to implement any protective measure. The Vice President’s office once again intervened on behalf of the industry, and instructed the CDC to weaken the report, to ensure that any recommendations were preceded with words not normally seen in CDC guidance such as “if possible” or “consider this.”^{xxxvi} The CDC then revised the report and issued a second version which they then made public.^{xxxvii} Thus, all the company had to do to be in so-called compliance with the revised CDC recommendations when they reopened was to say they thought about implementing measures but determined that it was just not possible to do so.^{xxxviii}

Hiding Data, Blaming Workers and Trying to Create a False Sense of Protection

At the same time as the meat and poultry industry was ignoring the need to implement effective measures to mitigate the spread of COVID-19 in their plant, the companies started hanging plastic sheets on the sides of workers who were working right next to each other—and across from one another on most production lines. This was a great publicity effort—to make it seem like the industry was finally going to protect workers, when in the end it was just a publicity tactic that did little if anything to mitigate the spread of COVID-19 in the plants. The CDC had already specifically told the plants that plastic sheets **would not mitigate the spread of COVID-19 in meat plants**. Yet to this day, the plants still have plastic sheeting along the sides of workers congregated together on production lines. But workers were still close together, they still worked across from one another, and the sheets were not in front of their faces. In fact, when CDC saw this effort in late April, they told **the companies that there is no evidence that these plastic sheets would do anything on production lines to protect workers, and they should be used along with social distancing—not instead of.**^{xxxix} I never saw any published data or study on how these sheets were expected to work to protect workers. These billion dollar companies took a strategy used in drug stores to protect clerks from sneezes, where customers are usually many feet across from the cashier and there for only a few minutes, and applied it to a meatpacking plant where thousands of workers are crammed together on production lines for 8-10 hours a day, and packed in lunch rooms and break rooms. It was just a placebo at best, at worst it actually could of made things worse.^{xl}

Plastic barriers can serve as sneeze guards to prevent large particles from travelling through the air, such as when an individual sneezes. But the barriers must be in front of the workers. However, the data is clear that it’s not only exposure to larger droplets at close range that transmit the virus; it’s also the small aerosol particles that are emitted when an infected person simply breathes or talks.^{xli} Plastic barriers and partitions do nothing to block exposure to these small particles that are a major source of exposure to COVID-19. Think of cigarette smoke. Research also suggests that barriers could make things worse by impeding ventilation.^{xlii} I heard that in many plants workers cut holes in the barriers so they could breathe better, and in some plants they got in the way of workers being able to do their jobs.

Then, to add insult to injury, in the first few months of the pandemic, over a dozen poultry plants, such as Tyson Foods and Wayne Farms, requested permission from the USDA (in the form of waivers from

existing regulations) to actually increase their production line speeds,^{xliii} making it impossible to move workers further apart. Once again, the industry was just motivated by greed, and a complete disregard for the health and lives of their workers.

Some politicians and even administration officials tried to blame the spread on immigrant workers in the plants. The CDC then did a study which burst that racist balloon. The study showed clearly that the conditions in meatpacking plants themselves were the key vectors for the spread of COVID-19 among workers.^{xliiv} In a study of poultry workers in Maryland, the CDC confirmed that the workers who worked in positions that involved close proximity to others—less than six feet apart—got sick at higher rates than others. It had nothing to do with where they lived or where they were born.^{xliiv}

For years, the industry had been warned that it must prepare for a possible pandemic. News reports documented that as far back as during the Bush administration, the industry was “warned that during a pandemic there may be as many as 40% of workers absent due to fear, illness or quarantine and that social distancing would be necessary, even if it affected business operations.”^{xlivi} But the industry did not prepare.

During the first 10 months of the pandemic workers tried to get help from the government during the previous Administration. Repeatedly, meat and poultry workers and their families filed complaints with the Occupational Safety and Health Administration (OSHA), letting OSHA know that there was no social distancing in the plants, sick workers were incentivized to come back to work, sick workers were kept on the lines, there was no ability for workers to wash their hands, masks were wet and not replaced, and OSHA refused to conduct inspections.^{xliivii} Then outbreaks occurred at these plants. (The agency also severely cut back on enforcement during the pandemic, so that during FY 2020, OSHA conducted 35% fewer inspections than the previous year.^{xliiviii})

Had OSHA done its job and inspected these plants, these outbreaks could have been mitigated. But OSHA abandoned its mission and its responsibility in this pandemic and failed to protect workers. It was a total dereliction of duty.

OSHA has issued a few COVID-19 related citations to meatpacking companies for failing to protect workers, but the fines were so low, they were insulting. For the workers in these plants, where many of their coworkers died and where they are still working elbow to elbow, this was almost worse than no citation—because it was a signal to the entire industry that there would be no real consequences for failing to protect workers.^{xliix} In some of the same plants that OSHA cited, conditions are still dangerous—and because the company contested this tiny fine, the company is able to get away with not protecting workers until the case is settled.

In the United States, companies are allowed to hide their work related injuries and illnesses from the public. They in fact are also allowed to hide most of it from the one agency that is supposed to assure that companies provide a safe workplace: OSHA. OSHA only collects a summary of how many serious injuries and illnesses occur every year in a plant (since 2015). OSHA doesn't collect the full injury and illness records of a workplace—and only sees them if they happen to be conducting an onsite inspection.¹ It would take 160 years for every workplace under its jurisdiction to be inspected once by OSHA, so companies know that is not happening anytime soon. Companies do have to report work related fatalities to OSHA, but there was only periodic reporting of such cases in meat plants in the

previous Administration, and often underreporting. Take the big California Poultry Company Foster Farms, where over 400 were sick and 9 workers died from COVID-19 – but the state was informed of only a few deaths (and found more once they opened an inquiry).^{li}

The meat industry never published their own data on how many of their workers tested positive and died from COVID-19. Some, but not all, States had data from any COVID -19 testing done of workers in meat plants —but almost all the big meatpacking states refused to make that data public. That is right— **the big meat states of Texas, Iowa, Arkansas, Missouri, South Dakota, Georgia, Mississippi, Alabama, and eventually Nebraska did not make any plant wide outbreak or case numbers public.** A terrific reporter, Leah Douglas, working for the Food Environmental Reporting Network (FERN), spent hours and hours over 17 months gathering data from as many states as she could on positive COVID-19 cases and related deaths in meat and poultry plants and scoured headlines for reports of meat and poultry workers dying from COVID-19. Without her work, there would be absolutely no data published on the scope of the crisis in this industry. But she was only able to get data from a handful of big meat and poultry states. From the few states that did give FERN data, as of September 2, 2021, at least 59,148 meatpacking and poultry workers have been infected with COVID-19, many were hospitalized and over 298 have died^{lii}. This is a severe undercount, because many big meatpacking states are not reporting these data.^{liii} As the FERN reporter, Leah Douglas, recounted in a blog post on September 2, as she ended the project she began in March 2020:

*“However, this project was hamstrung by a chronic lack of data from private companies and public health departments. While a couple of meatpacking companies **once shared worker testing data**, the vast majority of food companies never reported any information on worker illness or death. A few states have been committed to full transparency about the location of Covid-19 outbreaks, but **most did not collect or publish that data** at any point during the pandemic. In some places, efforts to boost transparency fell victim to **politics or industry influence**. And no federal agency has stepped in to collect or publish occupational illness data for food system workers.”^{liiv}*

The meat industry, who has not made their data public on the number of their workers infected with COVID-19 and how many have died, started to use this incomplete data that FERN collected to represent the sum total of all cases and deaths in the industry—touting their success at being safer than rates in the entire United States.^{lv} I am sure you will hear this repeated today. At best this false comparison is a sign of incompetence on the part of the industry, at worst it’s nefarious and completely irresponsible.

I want to make it clear that it was not inevitable that meat and poultry workers, and their communities, would pay such a high price for going to work every day in our slaughterhouses and processing plants. From the outset of this pandemic, we knew how to mitigate the spread of COVID-19 in our workplaces: quality masks, social distancing, frequent hand washing, improved ventilation, notification and quarantine of exposed workers, and quarantine of infected and potentially infected workers. It is a complete myth that these plants cannot protect workers because it would be too costly. Had they protected workers from the beginning, retooled their plants, spend the money up front to mitigate the spread of COVID -19 in the plants and in their communities—then all these plants around the country would not have had to shut down for so many weeks. The failure of these companies to observe all of

these precautions shows an absolutely reckless disregard for the lives of their workers, their families, and all of our communities.

I focused my testimony on just the first few months of the pandemic. But COVID-19 continues to spread in meatpacking and poultry plants a year later. Conditions have not changed.

How is it that as a society we gave the billion dollar meat and poultry industry, apart from all other industries, a pass on implementing measures to protect workers and their communities?

ⁱ <https://www.pnas.org/content/117/50/31706>

ⁱⁱ <https://www.bls.gov/iif/oshcfoi1.htm>

ⁱⁱⁱ <https://www.npr.org/sections/coronavirus-live-updates/2020/05/18/857972441/ford-reopens-with-rechoreographed-factories>;

^{iv} <https://www.ers.usda.gov/publications/pub-details/?pubid=102205>

^v <https://features.propublica.org/waterloo-meatpacking/as-covid-19-ravaged-this-iowa-city-officials-discovered-meatpacking-executives-were-the-ones-in-charge/>

^{vi} <https://www.epi.org/blog/meat-and-poultry-worker-demographics/>

^{vii} https://www.washingtonpost.com/opinions/what-the-label-on-your-thanksgiving-turkey-wont-tell-you/2016/11/23/977fe740-b0e1-11e6-8616-52b15787add0_story.html

^{viii} <https://www.nbcnews.com/news/us-news/language-barriers-helped-turn-smithfield-foods-meat-plant-covid-19-n1190736>

^{ix} https://www.washingtonpost.com/opinions/what-the-label-on-your-thanksgiving-turkey-wont-tell-you/2016/11/23/977fe740-b0e1-11e6-8616-52b15787add0_story.html

^x <https://www.wattagnet.com/articles/34821-why-poultry-employees-leave-or-stay?v=preview#:~:text=High%20turnover%20rates,all%20manufacturing%20is%2030.4%20percent.> “According to the survey, the average annual **poultry employee turnover rate** is 65 percent. Some locations said **turnover** was as low as 3.4 percent while others said it was as high as 150 percent”

^{xi} <https://www.rwdsu.info/poultry-industry-s-delayed-covid-19-response-is-killing-america-s-essential-workers-protect-them-now>; <https://www.kktv.com/content/news/Union-reports-8th-COVID-19-death-at-Colorado-meatpacking-plant-570582201.html>

^{xii} <https://www.nelp.org/publication/testimony-rebecca-dixon-examining-liability-covid-19-pandemic/>

^{xiii} <https://stacks.cdc.gov/view/cdc/85488>

^{xiv} <https://www.fitchratings.com/research/corporate-finance/fitch-affirms-smithfield-foods-inc-idr-at-bbb-outlook-stable-29-06-2020>

^{xv} <https://www.propublica.org/article/emails-reveal-chaos-as-meatpacking-companies-fought-health-agencies-over-covid-19-outbreaks-in-their-plants>

^{xvi} Waltenburg MA, Victoroff T, Rose CE, et al. Update: COVID-19 Among Workers in Meat and Poultry Processing Facilities — United States, April–May 2020. *MMWR Morb Mortal Wkly Rep* 2020;69:887-892. DOI: [http://dx.doi.org/10.15585/mmwr.mm6927e2external icon.](http://dx.doi.org/10.15585/mmwr.mm6927e2external%20icon)

^{xvii} <https://www.meatpoultry.com/articles/24733-jbs-sa-shows-q4-growth>

^{xviii} <https://www.cpr.org/2020/04/17/weld-county-warned-jbs-about-its-work-while-sick-culture-a-week-before-shutting-them-down/>

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