



NEBRASKA
Appleseed

March 4, 2010

Occupational Safety and Health Administration
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210.

RE: Policy changes to improve the health and safety conditions of meat and poultry workers

My name is Norman Pflanz and I am a staff attorney with Nebraska Appleseed Center for Law in the Public Interest. We are a non-profit, non-partisan public interest law project dedicated to equal justice and full opportunity for all Nebraskans. We promote health care access, immigrant integration and civic participation, child welfare, and low-income economic opportunity through a variety of approaches, including community education, community engagement, policy advocacy, research, and litigation. We have a long history of working on meatpacking safety issues. I am here today to testify in favor of policy changes that will improve health and safety conditions for the many thousands of people who daily process our country's meat and poultry.

Nebraska Appleseed recently released a major meatpacking safety report entitled, "*The Speed Kills You*": *The Voice of Nebraska's Meatpacking Workers*, which was the result of a survey of 455 meatpacking workers across the state of Nebraska. Before we started, we knew that government statistics show that meatpacking injury rates are double that of manufacturing as a whole (Bureau of Labor Statistics 2007). This report went straight to the workers in order to document safety conditions from the experience and perspective of those who live it every day. **We found that workers' greatest concern was the safety risks created by unrelenting speed of work—a combination of line speed and insufficient staffing on the line.** As predicted by a Government Accountability Office (GAO) study in 2005, injuries described by workers in this study far exceeded official injury rates.

In addition to the quantitative data generated by this new report, hundreds of written comments submitted by workers present an upsetting human picture of constant pain, verbal abuse, workers forced to urinate in their pants on the line, and the extreme toll taken by work conditions endured by thousands and thousands of workers. (I invite you to take a moment to read some of the workers' direct comments on the inside front and back cover of the report, attached here.) Because Nebraska produces one of every five steaks and hamburgers in the country, and because this is just one in a long line of substantive reports documenting such problems,¹ we believe these conditions are likely representative of the industry as a whole.

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CORE VALUES

COMMON GROUND

EQUAL JUSTICE

Workers expressed several key concerns regarding workplace health and safety:

- **Unrelenting work speed**
- **High injury rates**
- **Supervisory abuse and humiliation**
- **Denial of bathroom breaks**
- **Lack of neutrality of company medical staff**

Unrelenting Work Speed: Massive disassembly lines force workers to maintain intensely high rates of speed—in often cold conditions, with slippery floors, and electric knives. The dangerous level of work speed includes both the speed of the line and maintaining full staffing. A significant majority (73%) of the workers surveyed stated that the speed of the line had increased in the past year. At the same time, 94% said the number of staff had decreased or stayed the same.

High Injury Rates: Meat processing work can lead to a wide range of injuries, including cuts, crippling repetitive strain/musculoskeletal injuries, falls, fractures, amputation, and exposure to chemicals, to name a few. Two-thirds (62%) of workers we surveyed described injuries in the past year. As predicted by the 2005 GAO study, this far exceeds the official government rate of 12.1%. Another concern is the insidious, gradual nature of repetitive motion injuries, which workers may not recognize as an injury until it is too late and life-changing, permanent damage has already been done.

Supervisory Abuse and Humiliation: The psychological impact of the work went beyond what we expected. A flood of comments described supervisors screaming at, and humiliating workers, raising concerns about adequate training for supervisors.

Lack of neutrality of company medical staff: Many workers described company medical staff who ignore or minimize serious worker injuries. As one worker put it, “They give you ice, they give you hot water, they sell you pills and tell you that you have to learn to live with the pain.”

Denial of Bathroom Breaks: Workers stated that supervisors often deny bathroom breaks and this has resulted in workers urinating and defecating in their pants while on the processing line. One worker commented, “Imagine that there are people who urinate in their pants on the line. What safety is there in the product?” Supervisors sometimes exacerbate the situation by publicly humiliating the worker in front of others. Another worker said, “I know of three people who urinated and pooped in their pants on the line and afterwards they laugh at you.” This is a matter of basic human dignity as well as a food safety concern.

Recommendations to improve the health and safety of meatpacking workers:

- Through OSHA and/or through coordination between OSHA and the U.S. Department of Agriculture, the federal government should create a standard for work speed, including production line speed and an adequate number of workers on the line.
- Formulate an ergonomics program standard on repetitive motion injuries for the meat, poultry and food processing industries, in order to focus on the significant risk of work-related musculoskeletal disorders (MSDs) confronting employees.
- Increase inspections of meat, poultry, and food-processing plants.
- OSHA should step up enforcement of its regulations that require work floors be kept clean

and dry in order to minimize the serious back injuries that occur from falls.

- Ensure that meatpacking workers have adequate equipment, including sharpened knives, to do their job. To further this goal, OSHA should strictly enforce its standard (clarified in December 2008) requiring employers to provide appropriate personal protection equipment (PPE)—as required under 29 CFR 1910—at no cost to employees, when the equipment is necessary to protect employees from job-related injuries, illnesses and fatalities.

For a copy of our full report and media coverage of the issue, please visit our website: www.neappleseed.org/meatpackers. We appreciate the opportunity to speak today and look forward to working together with OSHA and workers in the industry to improve workplace health and safety in meat and poultry processing.

Sincerely,

NEBRASKA APPLESEED

Norman Pflanz
Staff Attorney
Nebraska Appleseed Center for Law in the Public Interest

ⁱ “The Cruellest Cuts: The Human Costs of Bringing Poultry to Your Table,” *Charlotte Observer*, 2008; *Blood, Sweat, and Fear: Workers’ Rights in U.S. Meat and Poultry Plants*, Human Rights Watch, 2005; *Fast Food Nation*, Eric Schlosser, 2001.