

Poultry Industry Cites Continuous Progress on Worker Safety Record

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This paper will address some of the facts involving the poultry industry and our approach to worker safety, and counters many of the claims and allegations brought forth in a report recently released by Oxfam America, entitled “Lives on the Line.”

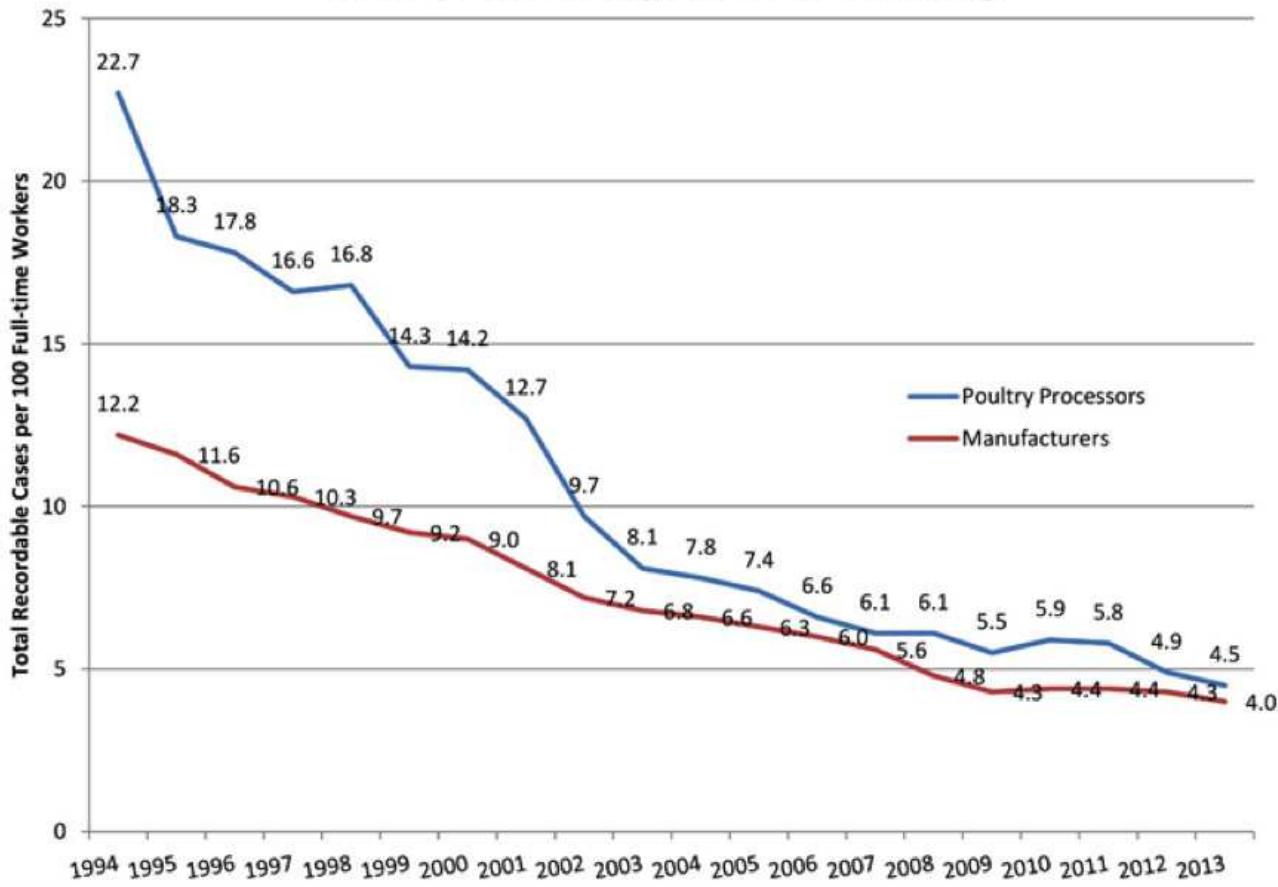
Executive Summary

Perhaps more than any other industry, the poultry industry over the last several decades has focused its energies on the prevention of workplace injuries and illnesses, especially musculoskeletal disorders (MSDs) like carpal tunnel syndrome, by recognizing the value of implementing ergonomics and medical intervention principles. Companies also adhere to Occupational Safety and Health Administration's (OSHA) guidelines that further help protect poultry workers.



U.S. chicken producers are proud of the advancements in worker safety that have been made over the last 20-plus years and the ongoing efforts for continued improvement. The incidence of occupational injuries and illnesses within the poultry sector's slaughter and processing workforce has fallen by 80 percent in the last 20 years and continues to decline according to the 2013 Injury and Illness Report released by the Department of Labor's Bureau of Labor Statistics (BLS). In fact, poultry processing's injury and illness rate of 4.5 is on par with all manufacturing jobs and is decreasing at a much faster rate:

OSHA Injury and Illness Incidence Rates Poultry Processing vs. Manufacturing



[Click here](#) to see how poultry processing's injury and illness rate compares to other industries. It will surprise you.

Musculoskeletal Disorders

The poultry industry began addressing ergonomic concerns in the early 1980s as the Poultry Industry Safety Council was formed for the explicit purpose of addressing MSDs. Such features as adjustable work stands and ergonomically correct knives were introduced directly as the result of the council's activities. Since that time there has been steady progress in reducing both the frequency and severity of MSDs as evidenced in the reported illness rates (a 63 percent reduction over the last 12 years). Many plants have contracted with outside ergonomic consultants, some firms have hired full-time ergonomists and all have salaried/ hourly safety committees to address ergonomic hazards in the workplace. Technology has been implemented replacing many manual, repetitive tasks with automation, and as feasible and effective technological advances are introduced they are quickly adapted by the industry.

Continued Improvement

While the past 20 years has seen a dramatic decrease in the numbers and rates of injury and illnesses occurring in the industry, the poultry industry will continue to seek new and innovative ways to protect our workforce. Ongoing efforts to improve the poultry industry's record in worker safety include:

- Sharing non-competitive practices, culminating with the release of a whitepaper, Ergonomics in the Poultry Industry – A Review of 25 Years of Industry Efforts, which documents many of the industry's efforts to improve worker safety;
- Partnering with the Georgia Tech Research Institute to develop an instrument to assess musculoskeletal disorder (MSD) risks in poultry tasks. The tool measures upper extremity stresses associated with poultry deboning and cutting tasks and provides quantitative data to help in workstation and tool redesign and process workflow improvements to reduce the stresses and strains associated with repetitive work;
- Continuing to work with equipment manufacturers and suppliers to improve machine guarding on new equipment and the provision of adequate disconnects to assist and facilitate proper lock out/tag out (LOTO) procedures;
- Collaborating with personal protective equipment suppliers. This has led to improvements in cut resistance of protective handwear, reduced fogging issues with safety eyewear and improved slip resistance in safety footwear to address lacerations, foreign objects/splashes and slip, trips and falls;
- Conducting monthly meetings of the Poultry Industry Safety & Health Committee to share best practices in hazard identification and risk control; and
- Holding an annual safety conference for the past 31 years – the National Safety Conference for the Poultry Industry. The conference highlights such things as “recognizing combustible dust hazards,” “hot topics in industrial hygiene” and roundtable discussions covering many topics including machine guarding, fall protection and catastrophic event planning and response



Poultry Industry Refutes Many Allegations in Oxfam Report

Oxfam incorrectly portrays an undeserved negative image of the entire poultry industry despite its outstanding record of improvement in employee health and safety, particularly over the past three decades.

Below are responses to specific allegations (in italics) made in the report.

“As the industry pushes for maximum productivity, it also pushes workers on the line to maximum speed. The upper limit on line speed has increased from 70 birds per minute in 1979,

to 91 in 1999, to 140 today. Still, the industry continues to seek even faster line speeds—despite well-documented and wide-ranging dangers to the workforce.”

Evisceration line speeds are regulated by USDA Food Safety and Inspection Service (FSIS) and cannot be exceeded. Where high evisceration speed lines (up to 140 birds per minute) are in place, the evisceration process is almost totally automated and therefore is not exposing employees to injury. Second processing line speeds (including debone and further processing lines) are not regulated but are much slower than evisceration (averaging 35-40 bpm). In second processing most positions require employees to “touch” every other or every third bird, so the effective line speed is one half or one third of the conveyor speed, or 12-20 bpm.

Click here and **here** to watch short videos of John Marcy, Ph.D., professor and poultry processing specialist, University of Arkansas, and Billy Hargis, DVM, Ph.D., professor of poultry science, University of Arkansas, talk about the regulation of poultry line speeds and worker safety within poultry processing plants.

“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, defeathering, and evisceration. Nonetheless, certain tasks must still be done by hand in the plant: from hanging live chickens to cutting wings and legs to pulling breasts and trimming skin.”

This is a very accurate description of the progress that has been made in the poultry industry and represents how proactive the industry has been to eliminate difficult, repetitive jobs as “(n)umerous automated processes replaced manual labor at various stages.” Technology has not always kept up with rapid changes in our product mix, but as automated processes for the remaining repetitive tasks are developed they are being adopted by the industry as we have demonstrated over the last 30-40 years.

“Workers on the poultry processing line earn near-poverty-level wages. Many work more than 40 hours a week, averaging \$10–\$11 per hour. Annual income for most is between \$20,000 and \$25,000, and wages have not kept pace with inflation.”

Poultry processing plants compete for the local workforce and therefore must pay competitive wages and offer competitive benefits. An \$11 per hour wage is 151 percent of the current federal minimum wage, in addition to benefits.

“In addition, wage theft is rampant: many plants neglect to pay workers for time spent preparing for and then finishing up after work.”

Poultry companies comply with wage and hour regulations. Multiple court decisions have not been consistent in their interpretation of whether to or how to compensate for “donning and doffing” required clothing or equipment. The lack of consistent decisions has led most companies to proactively address donning and doffing time through various means including requiring employees to clock in before donning gear or by adding additional paid time daily to compensate for the time required to don and doff. The reports of large settlements reflect the inconsistency of the courts and

subsequent decisions by employers to eliminate future legal expense and reach agreements on how to move forward, not an indication of “wage theft” as alleged in the report.

“Workers report that they have scant benefits/ Most pay a weekly fee for health insurance (\$20 to \$30), which covers only the individual, no family members.” Workers say they need to ask for approval to see their own doctor (and have it paid by insurance).

Poultry processing companies offer competitive insurance benefits that includes family and dependent coverage. No company interviewed failed to offer a medical insurance package that included family coverage. Group medical plans do not have a requirement for covered employees to seek company approval before seeing their doctor. If employees made this allegation, perhaps they are confusing company-provided group health plans with state regulated workers compensation programs. Many state workers compensation plans require employees to see doctors chosen from a posted panel of medical providers, and poultry companies comply with the state laws in this regard.

“In all the interviews for this and other reports, not one worker has reported paid time off, such as sick days, personal time, or vacation days.”

This is simply a ridiculous allegation. Poultry processing companies offer competitive benefits including vacation and paid time off options.

“Poultry work happens in a harsh environment. The plant is cold, humid, and slippery with grease, blood, and water. The air is full of chemicals from cleaning, processing, and cooking. The line moves rapidly while workers wield sharp tools. When these hazards are not mitigated and minimized, workers are injured in a variety of ways. Nonetheless, although poultry work is one of the most dangerous occupations in the country, much could be done to reduce the injury rate.”



We acknowledge the work environment presents workplace hazards and continually endeavor to reduce or control those hazards. As noted above, the poultry industry began addressing ergonomic concerns in the early 1980s as the Poultry Industry Safety Council was formed for the explicit purpose of addressing MSDs. Such features as adjustable work stands and ergonomically correct knives were introduced directly as the result of the council activities. Since that time there has been steady progress in reducing both the frequency and severity of MSDs as evidenced in the reported illness rates (a 63 percent reduction in the illness rate in the last 12 years). Many plants have contracted with outside ergonomic consultants, some firms have hired full time ergonomists and all have salaried/ hourly safety committees to address ergonomic hazards in the workplace. Technology has been implemented replacing many manual, repetitive tasks with automation, and as feasible and effective technological advances are introduced they are quickly adapted by the industry. There do remain a few jobs in poultry processing plants for which feasible and effective automation has not yet been developed.

Knife and scissor sharpening programs are in place to help reduce the force required in cutting. Workers new to poultry or meat processing often experience discomfort during the first weeks of employment, and companies have introduced exercise and conditioning programs to strengthen

employees and help them adjust to the physical requirements of the jobs.

Finally, in the absence of an OSHA ergonomics standard the industry worked with OSHA to develop a general guidance document, Prevention of Musculoskeletal Injuries in Poultry Processing. Many of the recommendations have been, and are being, implemented in poultry processing plants throughout the industry.



"In the drive to maximize production, the companies rarely slow or stop the processing line; workers stand in place for hours on end..."

Like any other production/manufacturing job, most poultry processing job requirements include standing for an extended amount of time. However, all processing employees have a 30-minute or more lunch break and at least two 10-15 minutes breaks during the workday, so "for hours on end" is 2 to 2 ½ hours at most.

When workers do have the courage to seek medical care within the plant, they are usually referred to a nurse or doctor who works in the interests of the company (not the workers).

Having on-site healthcare providers, ranging from R.N.s to LPNs to EMTs, is an effective way to provide first aid and basic treatment for work-related incidents. Healthcare providers are licensed and are expected to work within their 'Scope of Practice.' The fact that companies provide on-site medical care refutes the allegation that employee would need "courage" to take advantage of this employer-provided service. Further, the allegation that healthcare providers work for the interest of the company and not the worker suggests that nurses or doctors would choose to violate their basic tenant that they, most of all, pledge to do their best for their patients. Oxfam needs to provide proof that "usually" nurses or doctors are not working in the best interest of the worker.

OSHA, the US Government Accountability Office (GAO), and others have found extensive evidence of many plants deliberately under-reporting injuries.

Our industry disputes the allegation that there has been *extensive* evidence of *deliberate* under-reporting of injuries. Poultry processing was included in a recent OSHA National Emphasis program on recordkeeping, and we extensive violations were not identified. Further, issues that were identified involved the interpretation of the recordkeeping standard, not a deliberate decision to under-report. The bottom line is that employers do not receive any advantage if they under-report, and therefore, there is not an incentive to do so.

Under-reporting does not make the incident mysteriously disappear. Employees who suffer a workplace injury or illness still receive the protections and benefits of workers compensation coverage in all states, and medical treatment cannot be denied. Any employer who fails to comply with the provisions of the state workers compensation laws are subject to harsh financial consequences, which provide additional assurance that injured workers will be properly cared for and compensated.

Legislative reforms in the 1990s led to declines in reports of incidents in all occupations. Then, in 2002, a change to an OSHA injury-reporting form eliminated the column for musculoskeletal

disorders (MSDs); this abruptly and dramatically lowered the rate of incidents.

There were some regulatory changes in the recordkeeping rules which reduced the number of recordable incidents. Eliminating the MSD column from the OSHA reporting form was not one of them. MSDs continue to be reported as a workplace illness under Column (M) (6) of the OSHA 300 log.

The earlier chart compares poultry processing to the entire manufacturing sector, which shows that, even considering changes in the recordkeeping requirements, injury and illness rates for poultry processing are decreasing at a much faster rate than all manufacturing.

The largest poultry-producing states (Alabama, Arkansas, Georgia, Mississippi, and North Carolina) feature laws that forbid collective bargaining and discourage unions.

This is simply an incorrect statement. No states forbid collective bargaining and discourage unions. The states referenced are “Right to Work” states that do not force employees to join unions if they choose not to. All employers, including poultry processors, are subject to the provisions of the National Labor Relations Act which protects concerted activity where two or more employees act together to improve wages or working conditions, with or without a union. Employees cannot be fired, suspended or otherwise penalized for taking part in protected group activity,

“Processing plants use complicated “points systems” that keep track of workers’ infractions (tardiness, absences, mistakes); the system is random and unclear enough that it keeps workers anxious and confused. It also enables the company to penalize and dismiss workers at any time, with no explanation; and it discourages reports of injuries or violations.”

Where used, a points system-based attendance policy is a good way for the employer to manage their absences for time off when needed. This policy is explained in orientation and most facilities give employees a copy of the policy. Employees are issued warnings at certain point levels to let them know where they stand and are reminded of the terms of the policy at that time. If there are any questions they are encouraged to discuss with their supervisor or human resources.

“The tenuous immigration status of many of the workers can create an additional barrier to reporting instances of intimidation, harassment, and discrimination, as well as injuries they suffer on the job. Plants take advantage of workers’ lack of documentation: when they hire, they ask few questions; when they want to fire (for any reason), they can cite the lack of documentation as the problem.”

The poultry industry seeks to hire only those workers who are legally eligible to work in the United States and takes umbrage at the allegation that we take advantage of workers with undocumented status. All employers complete I-9 forms for new hires, and most use the E-Verify system to verify that work eligibility documentation appears to be valid. The allegation that we “ask few questions” is driven by the Equal Employment Opportunity Commission (EEOC) requirements, prohibiting asking too many questions that may be considered a discriminatory practice. All employers in the U.S. are caught between the conflicting limitations placed upon us by the Department of Labor’s EEOC, the Department of Homeland Security’s Immigration and Customs Enforcement (ICE) and the limited usefulness of available tools such as E-Verify. Poultry processing facilities offer a wide

variety of open communication platforms. This communication begins at new employee orientation with discussion of harassment policies and reporting. Reporting of incident methods include such features as multi-lingual anonymous hotline and call centers, open door policies and employee meetings that include open conversation and posted policies.

Almost every worker mentions how difficult it is to get permission to go to the restroom—and the strain this puts on everyone, especially pregnant women and older people.

Although individual policies vary by locations, restroom breaks are certainly allowed. Most facilities employ support staff (lead or utility positions) to interchange with line employees who request a bathroom break. In all occasions, medical-related situations are taken into account and accommodations made. Where collective bargaining agreements are in place, facility managers will work with unions to establish an appropriate policy. Most of the positions are conveyor-paced, and generally employees must make a request and may have to wait a few minutes for a co-worker to return from a restroom break before they can be relieved and allowed to leave the line.

Response to Oxfam Recommendations to Poultry Companies

Fair Compensation

Recommendation: Pay workers a fair wage that enables them to support their families without relying on federal assistance or charity.

Response: The poultry industry pays well in excess of minimum wage and is certainly competitive in the communities in which we are located.

Recommendation: Provide health insurance coverage for the worker and the family

Response: Health insurance is generally offered.

Recommendation: Provide paid time off, especially sick time (for themselves or to care for family members)

Response: Policies vary for hourly employees; many allow employees to earn some type of personal leave.

Recommendation: Provide all work-related gear and equipment at company expense.

Response: This is provided. Employees who lose or damage personal protective equipment are generally required to pay for replacements.

Recommendation: Ensure workers are paid for time donning and doffing gear.

Response: Policies vary, court decisions vary. The poultry industry believes that it complies with applicable laws.

Healthy and Safe Workplace

Recommendation: 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.

Response: Evisceration line speeds are regulated by FSIS and cannot be exceeded. Where high

evis speed lines (140+ bpm) are in place, most of the evisceration process is totally automated. Second processing line speeds are not regulated but are much slower than evisceration (averaging 35-40 bpm). In both evis and 2nd processing, most positions require employees to “touch” every other, or every third, bird so the effective line speed is one-half or one-third of the conveyor speed.

Recommendation: Follow NIOSH’s recommendation for rest breaks for workers at risk of musculoskeletal injuries.

Response: Each poultry company implements measures believed to be appropriate to reduce the potential for MSDs. As an industry, we have seen a 63 percent reduction in the illness rate in the last 12 years (oldest data we could get from BLS website), showing that we are making steady progress in addressing these types of incidents.

Recommendation: Ensure staffing levels are high enough so floaters can stand in when workers need breaks to use the restroom or to recover.

Response: Although individual policies vary by locations, restroom breaks are certainly allowed. Most facilities employ support staff (lead or utility positions) to interchange with line employees who request a bathroom break. In all occasions, medical-related situations are taken into account and accommodations made. Where collective bargaining agreements are in place, facility managers will work with unions to establish an appropriate policy.

Recommendation: Rotate workers among different positions in the plant, to reduce repetitive strain.

Response: Various rotation systems have been implemented, but there are very few positions in a processing plant that are not upper extremity intensive and repetitive. Therefore, rotating employees does not often provide for a substantially different type of work.

Recommendation: Ensure equipment is properly maintained to minimize risk (e.g., continuously sharpen knives to reduce force necessary to perform actions).

Response: The industry is well aware of the need for and value of effective knife sharpening programs, providing freshly sharpened knives during the shift and as needed, and providing tools (i.e., mousetrap steels) for employees to maintain sharp edges at all times.

Injury Reporting and Treatment

Recommendation: Ensure that workers are allowed to report incidents without fear of reprisal.

Response: Employee rights are posted, and those rights are protected by state workers compensation laws and OSHA. The poultry industry believes such acts are rare or non-existent, so please provide evidence that such intimidation is taking place in our workplaces.

Recommendation: Provide timely and appropriate medical care by qualified individuals working within their licensed scope of practice.

Response: Licensed health care providers are generally available and must work within their scope of practice or risk losing their license. They operate under treatment protocols established by a local physician or company medical director. OXFAM provides no evidence that health care providers are not working within their scope of practice.

Recommendation: 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.

Response: Although OSHA included poultry processing in their National Emphasis Program on Recordkeeping and a number of poultry processing underwent NEP inspections, our industry believes there was no widespread finding of failure to record incidents. In addition to OSHA recording, plant medical clinics/ first aid stations maintain records of each visit. Each plant has a safety manager on site whose role includes accident investigation and root cause analysis for the explicit purpose of reducing future reoccurrences.

Training

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

Response: Orientation and recurring training is done. Our industry acknowledges the challenge presented when training speakers of many languages in a level that they can understand and are constantly seeking better methods to get the basic safety message conveyed effectively.

Appropriate Ergonomic Design of Jobs

Recommendation: Contract ergonomics experts to analyze the plant, involve workers in assessing the problems and designing fixes, and implement changes.

Response: The poultry industry began addressing ergonomic concerns in the early 1980s as the Poultry Industry Safety Council was formed for the explicit purpose of addressing MSDs. Since that time there has been steady progress in reducing both the frequency and severity of MSDs as evidenced in the reported illness rated noted above (a 63 percent reduction in the illness rate in the last 12 years). Many plants have contracted with outside ergonomic consultants, some firms have hired full time ergonomist and all have salaried/ hourly safety committees to address ergonomic hazards in the workplace. Technology has been implemented replacing many manual, repetitive tasks with automation, and as feasible and effective technological advances are introduced they are quickly adapted by the industry. There remain a few jobs in poultry processing plants for which feasible and effective automation has not yet been developed.

Recommendation: Embrace the ergonomic principle of ensuring that the workstation fits the worker.

Response: Our industry has embraced them since the early 1980s.

Worker Voice and Empowerment

Recommendation: 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.

Response: Rather than a punishment system, a points system-based attendance policy is a good way for the employee to manage their absences for time off when needed. This policy is explained in

orientation and most facilities give employees a copy of the policy. Employees are issued warnings at certain point levels to let them know where they stand and are reminded of the terms of the policy at that time. If there are any questions they are encouraged to discuss with their supervisor or human resources.

Opportunities for Workers

Recommendation: 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.

Response: All training is provided to employees free of charge, and appropriate training is given dependent upon the worker's role. Independent third party training will only be used when in-house expertise is not available.

Recommendation: Create a robust mechanism for worker grievances, ensuring there is no retribution against the workers for speaking out.

Response: Employee rights are posted, and those rights are protected by state workers compensation laws and OSHA. Our industry believes alleged retribution is rare or non-existent, so please provide evidence that such intimidation is taking place in our workplaces.

Recommendation: Maintain neutral stance on union activity by workers; and allow freedom of association for workers, as called for in the United Nations Global Compact and Universal Declaration of Human

Response: All employers, including poultry processors, are subject to the provisions of the National Labor Relations Act which protects concerted activity where two or more employees act together to improve wages or working conditions, with or without a union. Employees cannot be fired, suspended, or otherwise penalized for taking part in protected group.

Conclusion

The two things we can agree on are the importance of workplace safety and the importance of the poultry industry to our workers and consumers purchasing our products.

Perhaps more than any other industry, the poultry industry over the last several decades has focused its energies on the prevention of workplace injuries and illnesses, especially musculoskeletal disorders like carpal tunnel syndrome. The poultry industry relies on its workforce of dedicated employees to provide a wholesome and affordable food source for the nation and the rest of the world. This reliance has prompted the industry to heavily invest in processes and procedures to further reduce workplace hazards and ergonomic risks



While the past 25 years has seen a dramatic decrease in the numbers and rates of injury and illnesses occurring in the industry, the poultry industry will continue to seek new and innovative ways to protect our workforce.