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DEPARTMENT OF LABOR

Nebraska Meatpacking Industry Workers Bill of Rights 2018 Annual Report

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Auxiliary aids and services are available upon request to
individuals with disabilities.

Introduction

The position of the Meatpacking Industry Worker Rights Coordinator is established with the purpose of inspecting and reviewing the practices and procedures of meatpacking operations in the state of Nebraska, as they relate to the provisions of the Nebraska Meatpacking Industry Workers Bill of Rights, Neb. Rev. Stat. § 48-2213(2).

The Meatpacking Industry Worker Rights Coordinator's objective is to bring awareness to industry employers and workers by promoting safety and fair employment practices. The coordinator assists employers in complying with state and federal laws and refers issues to the corresponding agencies.

The coordinator shall, on or before December 1 of each year, submit a report to the members of Legislature and the Governor regarding any recommended actions the coordinator deems necessary or appropriate to provide fair treatment of workers in the meatpacking industry.

Meatpacking Industry Workers Bill of Rights

The Nebraska Department of Labor has worked to build awareness of the Meatpacking Industry Workers Bill of Rights since its enactment in 2000. Some industry employers remain unfamiliar with provisions of the act and fail to comply with the law. The coordinator continues to work to educate and inform employers and workers on the Nebraska Meatpacking Industry Workers Bill of Rights, which includes:

1. The right to organize;
2. The right to a safe workplace;
3. The right to adequate facilities and the opportunity to use them;
4. The right to complete information;
5. The right to understand the information provided;
6. The right to existing state and federal benefits and rights;
7. The right to be free from discrimination;
8. The right to continuing training, including training of supervisors;
9. The right to compensation for work performed;
10. The right to seek state help.

Meatpacking Operation Inspection Procedures

To ensure that employers are complying with the Meatpacking Industry Workers Bill of Rights, the coordinator performs inspections at facilities throughout the state. Facilities are notified a week in advance of the intended visit in order to finalize the specifics of the inspection.

The average inspection is three hours, during which the coordinator interviews the HR manager and/or management team regarding their facility and their policies and procedures as they relate to the Bill of Rights. The coordinator obtains for review, copies of the facility's policies and procedures (employee handbook, training schedules, leave policies, etc.).

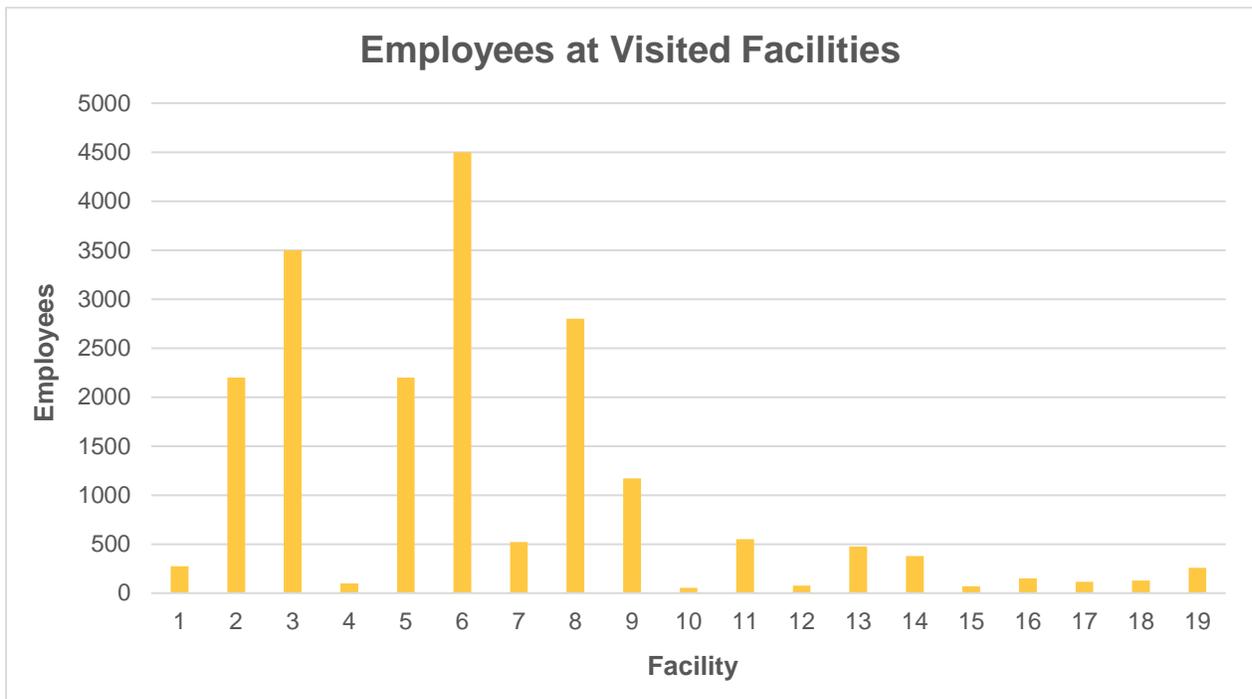
The coordinator tours the facility, which includes the production floors, locker rooms, break rooms, poster area, nursing mothers' room, etc. After the tour, the coordinator interviews employees privately to discuss matters related to the Bill of Rights. The coordinator also distributes handouts with the Bill of Rights, which include the coordinator's contact information.

After the visit, the coordinator reviews the facility's policies, completes a detailed report, forwards recommendations to the HR representative, and refers any potential issues to the appropriate agency.

2018 Inspections Activity

In 2018, the coordinator inspected 19 meatpacking facilities, which employ a combined 19,570 workers. An average of five employees were interviewed per facility. The most common languages found, besides English, were Spanish, Vietnamese, Arabic, Somali, Karen and Burmese.

The cities visited were: Columbus, Schuyler, Omaha, Grand Island, Crete, Dakota City, South Sioux City, Lexington, Madison, Hastings, Gibbon, Snyder, Lincoln, Hastings, Grand Island, Pawnee City, Aurora and Fairbury.

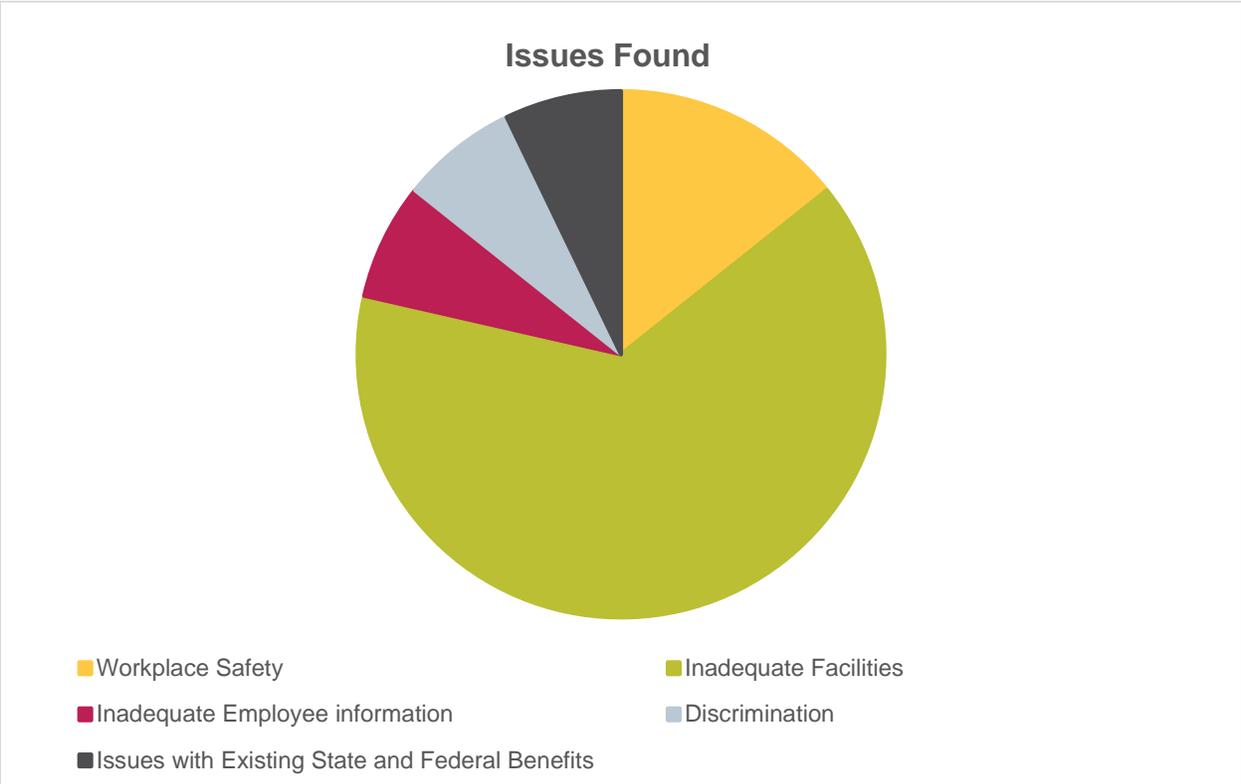


Recommendations to Employers

Several facilities visited were unfamiliar with the Meatpacking Bill of Rights. There was apprehension from facilities when scheduling visits and some were hesitant to provide a copy of their policies.

Recommendations made to employers addressed the following issues:

- Lack of suitable locker rooms
- Inadequate restroom relief while working on the line
- Unlawful leave policies
- Inadequate interpretive services
- Inadequate accommodations for nursing mothers
- Hygiene concerns
- Safety issues
- Inadequate information provided to employees regarding added benefits available



In addition to the recommendations made to employers regarding potential issues that were observed, the coordinator forwarded issues to the following agencies: U.S. Department of Labor, Nebraska Equal Opportunity Commission, and OSHA.

General Recommendations:

The Meatpacking Bill of Rights provides the coordinator access to all meatpacking operations, but does not contain a provision for refusal of entry by the employer. The coordinator must not only have access to the facility, but also access to documentation and information deemed necessary to determine if employee rights are being violated.

The coordinator recommends the Department of Labor review regulatory changes related to employers denying access to facilities and documentation to the coordinator during the course of the inspection.

In an effort to increase awareness of the Meatpacking Bill of Rights requirements, the coordinator also recommends the Department review regulatory changes requiring the facilities to display the Meatpacking Workers Bill of Rights.