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DEPARTMENT OF LABOR

Nebraska Meatpacking Industry Workers Bill of Rights 2017 Annual Report

Prepared by
Deyanira Salgado
Meatpacking Industry Worker Rights Coordinator
Nebraska Department of Labor - Labor Standards

December 1, 2017

Equal Opportunity Program/Employer TDD/TTY: 800-833-7352
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 Coordinator's efforts are to bring awareness to industry employers and workers by promoting safety and fair practices and helping employers reach compliance with state and federal laws.

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

Unfamiliarity with the Non-English-Speaking Workers Protection Act

The Nebraska Meatpacking Industry Workers Bill of Rights was enacted in February 2003. While the Meatpacking Industry Workers Bill of Rights has been promoted since its enactment, some industry employers are less familiar with provisions of the act and fail to be in compliance with the law. It is recommended that outreach efforts continue. The coordinator should continue to work to educate and inform employers on the Nebraska Meatpacking Industry Workers Bill of Rights.

Training Practices

Under the provisions of the Non-English-Speaking Workers Protection Act, *Neb. Rev. Stat. § 48-2209*, when an employer employs non-English-speaking workers, and more than ten percent of the employees speak the same non-English language, the employer shall provide a bilingual employee who is conversant in the identified non-English language and available at the worksite for each shift during which a non-English-speaking employee is employed. This representative shall be able to explain and respond to questions regarding terms, conditions and daily responsibilities of employment and serve as a referral agent to community service for the non-English speaking employees.

Not all industry employers have adopted methods to assist and provide support to their non-English-speaking workers during training or working hours. In some instances, the responsibility of finding an interpreter/translator was put on the employee. Even though the Non-English-Speaking Workers Protection Act directly addresses the employer's duties and obligations to non-English-speaking workers, some employers are out of compliance.

It is critical that employers provide interpretation services as required by the law. It is recommended that repeat follow-up visits with employers be done to educate and ensure compliance with the law.

Recommendations to Employers

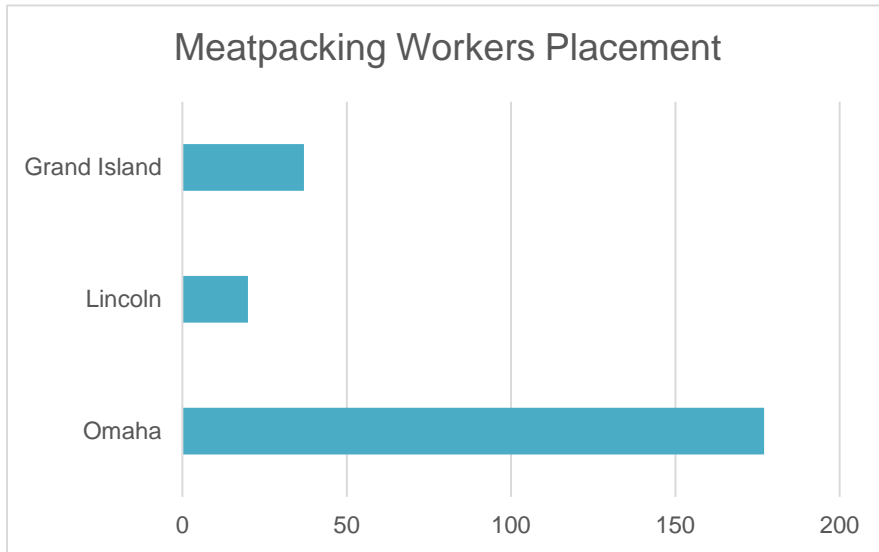
The coordinator worked with facilities to educate employers on the requirements of the Meatpacking Industry Workers Bill of Rights. The coordinator clarified misunderstandings of the Non-English-Speaking Workers Protection Act with human resources staff, plant managers, and members of safety committees. Strategies on how to improve training methods were discussed. Human Resource team members committed to making immediate changes to effectively serve their non-English-speaking workers. The coordinator will continue to monitor and support the employer as they transition their way to an improved orientation program.

Collaborators:

The coordinator has established networks with major groups and organizations focused on the meatpacking industry in effort to provide support and outreach. The coordinator continues to work on a regular basis with the following partners to provide the workforce with training and support: Nebraska Latino American Commission (NLAC), Nebraska Appleseed, Heartland Workers Center, Nebraska Safety Council, United Food and Commercial Workers International Union (UFCW), the Omaha Spanish Speaking Radio Station, Radio Lobo, and most recently Lutheran Family Services (LFS). These major collaborators have made it possible for workers to express concerns without the fear of retaliation and help promote fair treatment and safe workplace conditions.

Lutheran Family Services is one of three resettlement agencies in the state that helps refugees with work placement. This year, FLS reported 44% of job placements took place in the meatpacking industry; making up a total of 233 workers. Job placement in the meatpacking industry occurred in Grand Island, Lincoln, and Nebraska.

Fiscal year 2017 (Oct 16 – Sep 17):



FLS's collaboration with the meatpacking plants has opened up opportunities for refugees who seek opportunities in the state. The primary languages identified in the group are Arabic, Burmese, Kachin, Karen, Kerenni, Kurdish, Nepali, Somali, and Swahili. Other than job placements, FLS offers wrap around support in both Omaha and Lincoln that aims to assist refugee groups in resettlement through individual self-sufficiency.

Conclusion:

It is recommended that outreach and educational efforts continue at both the employee and employer level. Employers must understand the law and workers must understand their rights. The number of on-site visits should be increased. It is recommended that existing collaboration with the meatpacking bill of rights coordinator and state, regional, and local community organizations continue.