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DEPARTMENT OF LABOR

Nebraska Meatpacking Industry Workers Bill of Rights 2022 Annual Report

Prepared by
Grazia Tedeschi
Meatpacking Industry Worker Rights Coordinator
Nebraska Department of Labor - Labor Standards

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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 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.

Pursuant to Neb. Rev. Stat. § 48-2213(2), the coordinator is required to submit a report to the members of the Legislature and the Governor on or before December 1 of each year.

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. 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

The Meatpacking Industry Worker Rights Coordinator performs inspections at meatpacking facilities throughout the state. During inspections, the coordinator interviews the human resources manager and/or management team regarding their facility and their policies and procedures as they relate to the Bill of Rights.

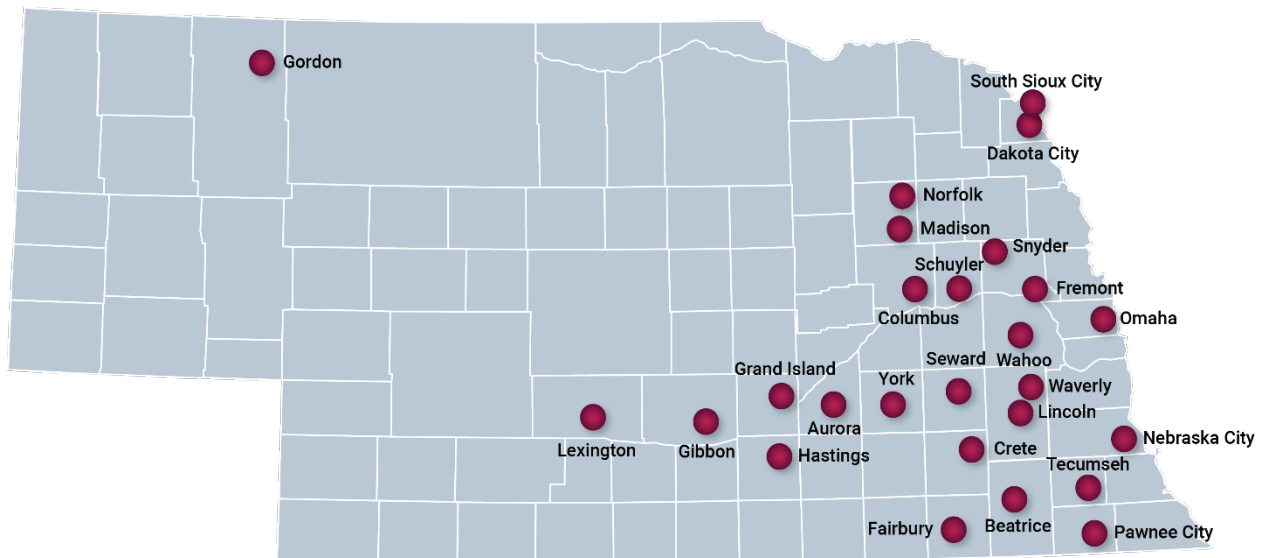
The coordinator tours the facility, which includes the production floors, locker rooms, break rooms, restrooms, poster area, nursing mothers' room, etc. During the tour, the coordinator selects employees to be interviewed privately. After the tour is completed, the coordinator interviews the employees to discuss matters related to the Bill of Rights. The coordinator also distributes handouts with the Bill of Rights, including contact information.

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

2022 Inspection Activity

The coordinator conducted 50 visits to meatpacking facilities. The facilities visited range in employee count from 23 to 3,857 and employ a combined 23,759 workers. A total of 222 employees were interviewed during the visits, with an average of four to five employees per facility.

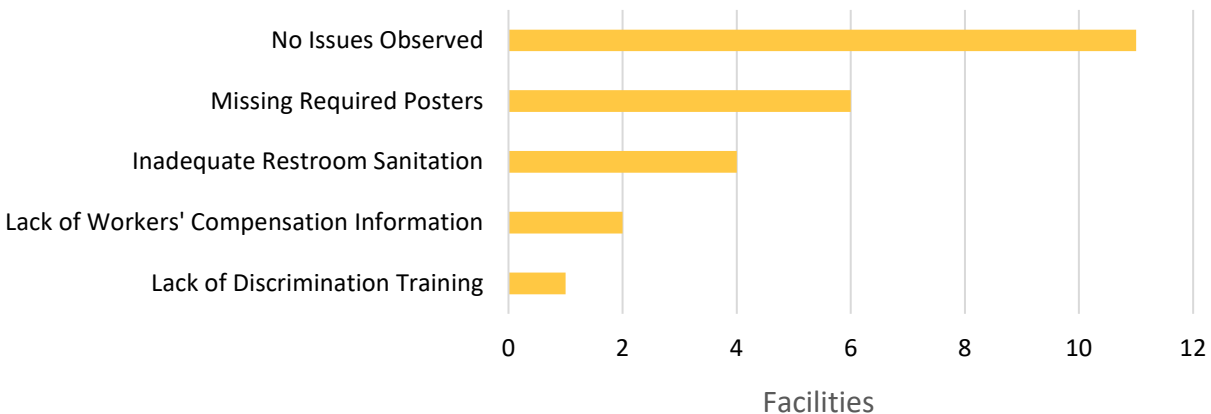
Cities Visited in Reporting Year



Observations During Visits

The coordinator made recommendations to employers regarding observations and forwarded issues to the following agencies: Nebraska Equal Opportunity Commission, Nebraska Workers' Compensation Court, and OSHA.

Observations During Visits



Meatpacking Worker Complaints

The coordinator receives complaints through phone calls, emails, wage complaints, and interviews during onsite visits. The majority of the complaints relates to speed of the line, limited restroom access, work-related injuries, retaliation, lack of communication from facility management, and wages.

The coordinator communicates with the HR managers to address complaints and works with the facilities to find the best outcome for the employees. Some of the facilities have been willing to work with the coordinator to make necessary changes for their employees. However, several facilities have been reluctant to respond to the coordinator's recommendations, or do not respond at all.

The Meatpacking Bill of Rights does not permit the coordinator to impose any consequences for noncompliance. The coordinator advises employees of their rights and refers them to the correct agencies depending on their complaint.

Positive Outcomes

- Five terminated employees were reinstated to their positions after communication with the coordinator and facility HR.
- The coordinator has established communication with Nebraska Workers' Compensation Court to guide injured employees.
- Wages owed were paid to employees.
- Employees received increased restroom access.

General Recommendations

NDOL recommends the Nebraska Legislature determine the overall purpose of the Meatpacking Bill of Rights. Currently, the legislation advises employees of their rights. If the Nebraska Legislature contemplates enforcement for violations of said rights, additional legislation would be required.

It is recommended that every meatpacking facility consider additional training to address safety in the workplace, awareness of employee rights if injured, and discrimination or retaliation occurring on the job. Ergonomics program enhancements are also recommended.

Efforts to promote greater awareness of the Meatpacking Workers Bill of Rights and the existence of the coordinator are crucial to the program.