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## Justice for Poultry Workers

**W**HEREAS, there are more than 232,000 poultry processing workers in the United States of America working in low-wage, grueling, and often dangerous jobs to provide food to millions of people all over the world; and

WHEREAS, from chicken soup to church dinners, from the fried chicken franchises that dot the highways and cities of our land to the school lunches our children eat in school cafeterias, consumers owe a debt of gratitude to the poultry workers of America; and

WHEREAS, most poultry processing workers are women and minorities, many of whom are new immigrants both documented and undocumented, hailing from Central America, the Caribbean, Africa and Asia; and

WHEREAS, the U.S. Department of Labor (DOL) has document that many of these workers are being cheated out of their wages and work in unnecessarily dangerous conditions; and

WHEREAS, in 1997, DOL's Wage and Hour Administration and Occupational Safety and Health Administration surveyed 51 poultry processing plants, finding more than 60 percent of those surveyed were in violation of the Fair Labor Standards Act (FLSA) overtime and record keeping requirements; and

WHEREAS, in 2000, DOL conducted another survey of wage and hour practices in the poultry industry, concluding that 100 percent of the poultry industry was out of compliance with federal wage and hour laws; and

WHEREAS, it is unconscionable that these workers have not been paid—and are not being paid—the wages they are entitled to under the law; and

WHEREAS, these are precisely the kinds workers for whom the Fair Labor Standards Act was created; so they would be protected from recalcitrant employers; and

WHEREAS, the data from the DOL surveys demonstrates a troubling and continuing pattern of poultry employers circumventing wage and hour laws

by using “line time” as the sole measure of time for which most hourly employees are paid; and

WHEREAS, under this scheme, industry employers are not paying workers for putting on, taking off, or cleaning their required equipment and gear, for walking to supply rooms and stations and waiting there to receive such equipment and gear, for reporting to their workstations when their employer requires them to, and for continuing to work on the assembly line during substantial periods of their breaks and at the end of their shifts; and

WHEREAS, far from being *de minimis*, the amount of unpaid time can amount to more than two hours of overtime wages per week amounting to over a thousand dollars of unpaid wages per worker per year—a significant loss to low-wage workers who struggle to make ends meet: and

WHEREAS, poultry workers have to work under hazardous conditions with chickens moving down processing lines at an incredible speed—over 60 birds per minute—as they are hung, plucked, eviscerated, chilled, cut-up, filleted, and packed; and

WHEREAS, the fast moving lines, repetitive activities, cold and wet conditions, lack of training, and absence of any ergonomic standard result in a rate of injury for chicken processing workers that is among the highest for any factory worker in the nation and an alarming number of these workers suffer from back injuries, fractures, cuts and repetitive motion injuries; and

WEHERAS, even though the industry has had ample opportunity to correct its unlawful practices, they have refused to do so, attempting instead to use political pressure to request that the DOL absolve them from having to pay the back wages that these workers have earned and ignore its duty to enforce the FLSA in their industry; therefore be it:

RESOLVED that the AFL-CIO and it’s affiliates urge the Department of Labor to enforce the law, and ensure that poultry workers be paid for all of the hours that they work; and be it further

RESOLVED that the Department of Labor continue to survey the industry to ensure future compliance with the Fair Labor Standards Act and the Occupational Safety and Health Act.