



Recommendations for meat and poultry processing workers

Legislative report from the worker rights coordinator

Nov. 27, 2024

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As requested by Minnesota Statutes 3.197: This report cost approximately \$960 to prepare, including staff time, printing and mailing expenses.

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Letter from the worker rights coordinator

Dear Gov. Walz, labor committee chairs and ranking minority members,

When I was hired as Minnesota's first worker rights coordinator for the meat and poultry processing industry, I was excited to begin my role to improve workplace safety and health and other working conditions in meatpacking facilities. The opportunity to visit on site with meatpacking employers and employees has been a privilege and a learning experience.

Each worksite I visited is unique and each worksite has its own specific challenges, successes and opportunities. There are certainly shared experiences within the industry, but the circumstances described by individual workers are their own and may not be true for all workers or in all workplaces.

One of the primary issues I heard about was inadequate communication between the office staff, supervisors, and workers. This disconnect often leads to misunderstandings and a lack of clarity regarding expectations, which can exacerbate tensions within the workplace. From the 83 worker interviews I conducted, a common concern expressed was the lack of trust between workers and their leads or supervisors.

Despite these challenges, numerous workers voiced their gratitude for the job security and benefits their positions afford their families. Some employers are taking proactive steps to foster a safer and more comfortable working environment, including providing resources such as insulated winter gear to protect against cold temperatures, specialized floor mats to reduce fatigue, supportive insoles and adjustable stands that promote better posture. Additionally, the use of knife transportation cases, appropriate personal protective equipment, automatic pallet lifters and rotating workstations allow workers to vary their tasks, thereby minimizing repetitive movements during long shifts.

After educational materials mailed to 88 employers and 24 on-site visits to meat and poultry processing facilities, totaling 113 hours of tours, inspections and interviews with 135 employer representatives and employees, I submit this report that outlines the Department of Labor and Industry's implementation of the Safe Workplaces for Meat and Poultry Processing Workers Act, identifies recommendations to promote better treatment of meat processing workers and highlights workers' experiences. It is important to me to include the voices of meatpacking workers so you can hear what I heard: people who are dedicated to their work and committed to a workplace that is safe and healthy for all.

The Minnesota Department of Labor and Industry is committed to the full implementation of the Safe Workplaces for Meat and Poultry Processing Workers Act, as well as all other laws under its jurisdiction that impact the meat and poultry processing industry, and to ensuring living and working environments in Minnesota are equitable, healthy and safe for all.

Sincerely,
Emmanuel Martinez-Cruz

Introduction

Safe Workplaces for Meat and Poultry Processing Workers Act

The Safe Workplaces for Meat and Poultry Processing Workers Act (Safe Workplaces Act), Minnesota Statutes 179.87-179.877, established the role of the worker rights coordinator (WRC) for the meat and poultry processing industry at the Department of Labor and Industry (DLI) and provides protections for meat-processing workers, including employees, independent contractors and those hired through a temporary service or staffing agency. Meat-processing workers are those who, while doing work for a meat-processing employer: work directly in contact with raw meatpacking products in a meatpacking operation; inspect or package meatpacking products; or clean, maintain or sanitize equipment or surfaces. More information about the Safe Workplaces Act is online at dli.mn.gov/employment-practices/safe-workplaces-meat-and-poultry-processing-workers-act.

This report fulfills the duties of the WRC to submit a report of recommendations to state leaders to promote better treatment of meat-processing workers. The report covers the implementation of the Safe Workplaces Act, including findings, testimonies of meatpacking workers and recommendations for their safety and health and improvement of other working conditions in the workplace.

Background

The meatpacking industry in Minnesota had about 17,500 employees and generated an estimated \$1 billion in earnings in Minnesota in 2022, according to the U.S. Bureau of Labor Statistics (BLS). Census Bureau data from 2022 shows more than two-thirds of meatpacking industry workers were between 24 and 54 years old, and about 64% were male. Forty-two percent of workers identified their ethnicity as Hispanic. Approximately 72% identified their race as white, 13% identified their race as African American and 11% identified their race as Asian. The number of workers in animal slaughtering and carcass processing has seen an increase in the past five years, but poultry processing has lost nearly 1,000 workers since 2018. The meatpacking industry's impact on Minnesota's economy and communities is significant and ensuring workers in the industry are working in safe conditions is a priority.

In January 2024, the Safe Workplaces Act took effect and strengthened worker protections in the meatpacking industry. The law built on previous worker protections passed, including the Packinghouse Workers Bill of Rights, with the support of workers, workers' advocates, unions and other stakeholders.

Packinghouse Workers Bill of Rights

The Packinghouse Workers Bill of Rights, which passed in 2007, included new requirements for meatpacking employers to communicate job descriptions and other job information to employees in their native language. The original law did not expand DLI's authority to regulate meat and poultry processing plants and did not provide enforcement authority to DLI. In 2015, the Office of the Legislative Auditor completed a program evaluation of the Packinghouse Workers Bill of Rights and found it lacked adequate protections for the safety and health of meatpacking workers. In response to the need for stronger worker protections, multiple workers, workers' organizations and stakeholders developed policy recommendations and built the support needed for the Safe Workplaces Act. Additionally, the Packinghouse Workers Bill of Rights was amended in 2023 to clearly apply to the poultry processing industry, to expand notice rights to include information about workers'

compensation insurance and to require the notice be provided in writing, and to provide for a private right of action in addition to enforcement and fine authority by DLI.

COVID-19 response

Working conditions during the COVID-19 pandemic underscored the need for increased worker protections in the meat and poultry processing industry. Federal orders for meatpacking plants to remain open made workers especially vulnerable to COVID-19, and plants and the rural communities where they are located became COVID-19 hot spots. U.S. Department of Agriculture research showed that in April 2020, daily COVID-19 case rates in rural counties with meatpacking plants were more than 10 times greater than rural counties without a meatpacking plant.

In response, in 2021, Minnesota Gov. Tim Walz created the Committee on the Safety, Health and Wellbeing of Agricultural and Food Processing Workers to bring together state agencies, community groups, unions, local public health organizations, employers' representatives and others to develop recommendations. Some of the recommendations developed in this stakeholder committee were included in the Safe Workplaces Act. More information about this committee is online at mn.gov/deed/programs-services/awwc.

Coordinated approach to worker safety

While the Safe Workplaces Act requires a dedicated WRC who visits and inspects meatpacking and processing facilities in Minnesota, the role exists within a wider network of workplace protections and enforcement authority at DLI.

The DLI Labor Standards Division ensures compliance with numerous state labor and employment laws, including the Minnesota Fair Labor Standards Act, the Minnesota Payment of Wages Act, the Minnesota Prevailing Wage Act, the Women's Economic Security Act (WESA), the Minnesota Child Labor Standards Act, the state's earned sick and safe time law (ESST), various anti-retaliation provisions and misclassification, and recovers back wages, damages, penalties and other relief through its enforcement actions. In addition, the Labor Standards Division helps to keep Minnesota employees and workplaces safe and in compliance with state labor and employment laws by engaging with and educating workers, employers and other stakeholders about the laws it enforces to prevent violations from occurring.

Child labor in the meatpacking industry

Investigating child labor violations in the meatpacking industry has been a significant focus at the state level for DLI and at the national level for the U.S. Department of Labor (USDOL). In the past three years, significant settlements have taken place after child labor investigations in the meatpacking industry. In 2022, USDOL reached a settlement with Packers Sanitation Services Inc. for, among other things, hiring children ages 13-17 for overnight shifts, to work with hazardous chemicals and to clean dangerous machinery, across eight states, including at three sites in Minnesota. The company paid \$1.5 million in civil penalties.

In 2023, DLI reached a settlement with Tony Downs Foods Co. for child labor violations. The settlement followed an investigation of the facility in Madelia, Minnesota, that found the company employed at least eight children between the ages of 14 and 17 to operate meat-processing equipment in violation of state child labor laws prohibiting minors from working in hazardous occupations. These children, one of whom was only 13 years old

when hired, performed hazardous work, such as operating meat grinders, ovens and forklifts, for the company during overnight shifts. Early in the investigation, DLI staff members conducted an overnight on-site visit as part of the investigation and applied for and received a temporary restraining order and injunction to stop the company from illegally employing children. Tony Downs Foods Co. paid an administrative penalty of \$300,000 and is required to submit regular child labor compliance reports for three years to DLI, among other conditions.

In 2024, DLI reached a settlement with Smithfield Packaged Meats Corp. that resulted in a \$2 million administrative penalty, the largest DLI has recovered as a result of a child labor investigation. DLI found Smithfield Packaged Meats Corp. employed 11 children during a two-year period who performed hazardous work, including: working near chemicals or other hazardous substances; operating power-driven machinery, including meat grinders, slicers and power-driven conveyor belts; and operating nonautomatic elevators, lifts or hoisting machines, including motorized pallet jacks and lift pallet jacks. In addition to the administrative penalty, the settlement requires Smithfield Packaged Meats Corp. to: conduct industry outreach related to child labor compliance; contractually require child labor compliance with its labor staffing agencies and sanitation contractors; and take other significant steps to ensure future child labor compliance.

The Minnesota Legislature also strengthened the Minnesota Child Labor Standards Act (MCLSA) in 2024 to better protect minor children and to discourage employers from violating child labor law. Among other things, these changes created an anti-retaliation provision in MCLSA and established liquidated damages for minor children employed in hazardous employment in violation of MCLSA. These changes became effective Aug. 1, 2024. Both the WRC and the Labor Standards Division overall are committed to ensuring compliance with MCLSA through their work.

Minnesota Occupational Safety and Health Administration

The goal of the Minnesota Occupational Safety and Health Administration (MNOSHA) is that every employee returns home safe and healthy at the end of each working day. MNOSHA focuses on regulation through its Compliance unit and on assistance through its Workplace Safety Consultation unit, helping industries with the highest injury and illness rates.

MNOSHA Workplace Safety Consultation offers the Minnesota Safety Grant Program that allows qualifying employers to request grant funds to make improvements in their worksites to reduce the risk of ergonomic injuries. Eligible companies can request up to \$10,000. In 2024, two awards were made to meatpacking companies: Northern Pride, Inc.; and Lorentz Meats. The Safety Grant Program has funds remaining and the application is online at dli.mn.gov/business/workplace-safety-and-health/safety-grant-program-ergonomics. The Safety Grant Program is expected to save employers \$12.6 million in workers' compensation claims due to reductions in ergonomic injuries.

In the course of interviewing employers' representatives and employees, the WRC heard about situations and concerns related to compliance with MNOSHA's laws and regulations. MNOSHA will continue to provide clarification to the WRC about the responsibilities of MNOSHA, how it conducts inspections, and the employer's responsibility to comply with all MNOSHA standards.

Implementation of the Safe Workplaces Act

When the WRC was hired by DLI, the first focus was to develop: a comprehensive list of meatpacking and poultry processing plants in the state, including those under the jurisdiction of the Safe Workplaces Act; a protocol for plant visits; a data collection plan; and an outreach strategy. The WRC worked with DLI's Research and Data Analytics unit, the Labor Standards Division and MNOSHA to help define the WRC role, its short- and longer-term goals, and its relationships and coordination within DLI and with external stakeholders.

Jurisdiction

The WRC initially focused on identifying which employers fall under the jurisdiction of the Safe Workplaces Act. Minnesota Statutes 179.871, subdivision 6, limits the jurisdiction to meatpacking operations or meat-processing employers, defined as a meatpacking or poultry processing site with 100 or more employees in Minnesota. The definition is also limited to those sites with a North American Industry Classification System (NAICS) code of 311611 (non-poultry animal slaughtering), 311612 (meat processed from carcasses) or 311615 (poultry processing companies). As a result, companies could have multiple locations that would fall under the jurisdiction of the act. Working with data about employers from DLI and other agencies, including MNOSHA, the Department of Employment and Economic Development, the Minnesota Department of Agriculture and the U.S. Department of Agriculture, the WRC determined 31 worksites in Minnesota were within the act's jurisdiction.

Site visit plan and protocol

The WRC created a plan for site visits and developed checklists and materials for use during these visits. The WRC also sent each facility a letter (see Appendix) describing the Safe Workplaces Act and a checklist of additional applicable labor and employment laws, including ESST, WESA, and others in advance of the site visits. The letters were sent to 88 employers whose facilities fall under the jurisdiction of the Packinghouse Workers' Bill of Rights and the Food Processing Recruitment Act.

During each visit, the WRC toured the facility to understand the work environment, interviewed management and interviewed a random set of employees in English and Spanish. The WRC also requested and reviewed written notices and policies and observed workplace posters. The questions for management related to compliance with labor and employment laws, including the Safe Workplaces Act, ESST, child labor restrictions, wage laws, the Packinghouse Workers Bill of Rights, WESA, recordkeeping requirements, rest and meal breaks and employee wage notifications. The questions for employees related to the same labor and employment laws and whether the employer provided required notices and other information to workers.

The focus of site visits during the first year was on education and providing guidance and technical assistance to employers to achieve compliance. If an employer was found to be noncompliant, the WRC answered questions, provided template notices and provided information regarding deficiencies and next steps to come into compliance. Some of this post-plant visit work is still ongoing and employers have generally been responsive in coming into compliance through this process. The Labor Standards Division has the ability to take further enforcement action as necessary if an employer is unwilling to come into compliance.

Site visit summary

The WRC visited 24 of 31 worksites under the jurisdiction of the Safe Workplaces Act in the first year and will prioritize visiting the remaining facilities in the second year, in addition to performing repeat visits to worksites already visited and visiting other meat and poultry processing facilities that are too small to fall under the act's jurisdiction. These 24 visits included five non-poultry animal slaughtering facilities (NAICS code 311611), 11 meat processing from carcasses facilities (NAICS code 311612) and eight poultry processing facilities (NAICS code 311615).

During these visits, the WRC interviewed 52 management staff members and 83 meat and poultry workers for a total of 135 interviews. The WRC spent approximately 113 hours meeting with employers, touring facilities and speaking with workers. The WRC identified 22 languages spoken by employees in the visited facilities.

Outreach and events

From March through October 2024, the WRC conducted 17 outreach events, reaching approximately 1,253 workers, employers, community members and leaders, and union representatives. During these events, the WRC presented and educated attendees about Minnesota labor and employment laws that impact the meatpacking and poultry processing industry, including child labor laws, the Safe Workplaces Act, the ESST law, and WESA.

Select worker testimonies

Names and other identifying details of workers have been changed.

Angela went back to work after having a baby. She needed to express milk at work, but didn't know her rights under WESA. The facility where she worked did not have a designated private space for expressing milk and Angela didn't know she had the right under WESA to express milk without taking unpaid break time. She expressed milk while sitting on a bench in the women's locker room during her regularly scheduled break times, which was challenging and uncomfortable. Angela's story highlights the need for greater awareness of WESA responsibilities and rights and support for nursing employees in the workplace.

Daniel speaks Spanish and doesn't speak very much English. His work provides him with written notices in Spanish, but he cannot read. Without verbal instructions or audio materials, he can't learn or understand the information management gives him. He also receives his pay via direct deposit and receives his earnings statements electronically, which he doesn't know how to access. Daniel didn't know he has the right to receive notice information under the Safe Workplaces Act and the Packinghouse Workers Bill of Rights verbally. He also didn't know he has the right to request that he receive his earnings statements in paper form. Daniel's story is a reminder of the importance of accessible communication and support in the workplace.

Lila said she feels a sense of gratitude for being part of a work environment that cares for its employees. Before she worked in a meat-processing plant, she spent three years working in an environment where she didn't feel the same. Her current job, while physically challenging, brings her peace of mind and a sense of belonging in a workplace that prioritizes employee well-being.

Findings

The findings presented here come from interviews, tours and review of employer policies at 24 meatpacking facilities in Minnesota in 2024. The findings do not apply uniformly across all worksites visited; rather, these are individual experiences that, taken together, provide a picture of the compliance efforts and deficiencies at meatpacking facilities in Minnesota. During the site visits, the WRC learned some of the facilities were not meeting all of the requirements of Minnesota labor and employment laws, including requirements under the Safe Workplaces Act, the Packinghouse Workers Bill of Rights, ESST, WESA and other laws.

Each facility was unique and the WRC developed a response specific to the findings at each site. In some cases, a facility had not provided required notices, or had provided deficient notices, to its workers, so the WRC worked with the employer to ensure it was brought into compliance by providing required notices. In other cases, a facility did not have a lactation space that met requirements under WESA, so the WRC worked with the employer to ensure it created this required space. Some facilities had not fully implemented certain requirements of the Safe Workplaces Act, such as requirements related to ergonomics, so the WRC educated staff members about the requirements and connected them to resources to come into compliance. The follow-up from some of these visits is still in progress and, if a more informal educational approach does not lead to compliance, the WRC can elevate to more formal enforcement actions. In many cases, using an educational approach has helped employers to quickly come into compliance.

In addition to assessing each facility's compliance with Minnesota labor and employment laws, the WRC also learned about or observed the following concerns.

- Some workers expressed hesitation and fear about reporting workplace injuries due to a lack of knowledge of the proper procedures and uncertainty about whom to approach. They also said they worried that speaking up could lead to retaliation, including job loss. This fear is intensified by unfamiliarity with the workers' compensation system. Many employees do not know their rights or the benefits they may be entitled to, making it difficult for them to seek help when injuries happen at work.
- Workers expressed concerns about communication among themselves, their supervisors and the office staff. They feel the existing channels for reporting labor and employment law violations or safety concerns are ineffective, including because they fear potential backlash from their leads or supervisors for reporting. Additionally, if workers ask questions, they encounter obstacles, because supervisors may not allow direct communication with the office staff.
- Workers expressed that supervisors pressure them to work harder so that supervisors can improve their standing with the employer. Some days workers say the production line operates faster than usual and they feel pressured not to take bathroom breaks. Some workers said they are expected to arrive 15 to 30 minutes early to prepare for their shifts. Workers are unsure if they are paid for arriving early.
- Workers reported that employers do not always provide policies, training, updates or other information in a language they understand. The language barriers lead to misunderstandings or lack of awareness about policies, training, updates and other information.

- Workers voiced concerns that some employers switched from paper earnings statements to mobile applications. Language barriers and lack of familiarity with these mobile applications make it hard for workers to know what they have been paid, as well as what deductions were made, as indicated on their earnings statements. Many workers were unaware they have the option to request a printed copy of their earnings statements from their employer.
- The WRC observed the layout of some facilities posed logistical challenges for workers. Some work areas were far away from the nearest bathroom or cafeteria, so employees spent significant time traveling during their rest and meal breaks. As a result, workers had less time to use the restroom or to eat meals, even though in the latter case they still had 30 minutes reduced from their hours worked as if they had taken a full 30-minute period to eat a meal.
- The WRC observed some production areas were uncomfortably cold and extremely loud. In certain sections, temperatures dropped to 45 degrees Fahrenheit, creating a challenging environment where workers often transitioned regularly between cold and hot climates. This frequent shift exacerbated the physical discomfort experienced by workers.
- The WRC observed workers in the harvest areas (areas where animals were slaughtered) worked under challenging working conditions, including being surrounded by strong and unpleasant odors, blood and slippery floors.
- The WRC observed some facilities had forklifts moving in and out of cramped areas, which made it difficult for workers to move around the work environment safely. As a result, workers often had to operate very close to each other while using knives or other dangerous equipment, making accidents and injuries more likely.

Recommendations: Employees

These recommendations stem from interviews with 83 randomly selected employees at meat and poultry processing plants. Through these interviews, the WRC identified overall themes regarding improving communication in the workplace, adequate staffing and appropriate scheduling, protective equipment and payment.

Communication and culture

- Employees, including leads and supervisors, should learn basic words in different languages to be able to effectively communicate in emergencies (for example, to be able to tell someone to stop the line in an emergency).
- Employees, including leads and supervisors, should learn standardized hand signals to be able to effectively communicate with workers when the work environment is loud or when employees speak

different languages.

- All employees should undergo training to better understand interpersonal interactions with their coworkers in the workplace.
- Employers should prioritize hiring office staff members, leads and supervisors who speak the same languages as other employees to improve communication among staff members.
- Employers should create reporting systems for employees to use to report potential violations or concerns, including anonymous options, and should make clear that employees will not be retaliated against for using the reporting system.

Adequate staffing and scheduling

- Employers should ensure there is appropriate staffing in each area of a facility.
- Employers should have an easily accessible list of trained people for each area of a facility.
- Employers should provide reasonable and set times for meal and rest breaks.
- Employers should provide more advanced notice to employees if they are required to work shifts that are not part of their usual schedule.
- Employers should designate and train specific employees as trainers. Sometimes new employees are trained by people who are not properly trained, which puts workers at risk.

Equipment for worker safety and health

- Employers should provide floor mats for standing for long periods of time.
- Employers should provide face masks when the work environment is cold.

Payment

- When determining compensation, challenging working conditions should be considered.
- Employers should provide better training about how to use and understand the payment process, including the right to access paper earnings statements.

Recommendations: Employers' representatives

During plant visits, the WRC interviewed plant managers, supervisors and other employer representatives and developed a list of recommendations from these interviews. Like the employee recommendations, the feedback received was not uniform across facilities, but rather reflected individual experiences. Generally, employers'

representatives expressed they would like more information and support for meeting general worker safety requirements.

Support to meet safety requirements

- Employers' representatives would like more training about how to be compliant with worker safety requirements generally.
- Employers' representatives would like fewer or streamlined workplace notices related to health and safety.
- Employers' representatives would like to have avenues to better understand the expectations of the ergonomics program.
- Employers' representatives would like a broader category of eligible professionals that specialize in ergonomics or occupational medicine that could participate in facility committees.

Recommendations: Agency proposals

Based on the information gathered during the WRC's tours, inspections and interviews, DLI offers two additional proposals.

Funding for increased outreach, education and engagement

Both employers and employees indicated it would be beneficial to have a better understanding of Minnesota labor and employment laws that are applicable to the meat and poultry processing industry. Increased funding for DLI's Labor Standards Division, which enforces many of these laws, to provide more robust and accessible outreach, education and engagement to workers and employers in this industry would meet this aim. Ultimately, greater awareness and understanding of workplace responsibilities would prevent violations from occurring, benefiting both employers and workers.

Strengthen mandatory break laws

Employees expressed concerns to the WRC related to rest and meal breaks, including the duration and timing of those breaks. Minnesota's current laws addressing breaks — Minn. Stat. 177.253, Mandatory work breaks, and Minn. Stat. 177.254, Mandatory meal break — are vague, leading to a lack of understanding by both workers and employers about rights and responsibilities under the law. Minnesota is one of few states that does not have a clear standard in statute addressing the amount of time that must be provided to employees for breaks. Providing a clear standard in statute that, for example, states employees are entitled to at least 15 minutes of rest break time for every four consecutive hours worked and at least a 30-minute meal break for every six consecutive hours worked, would closer align Minnesota's break standards with other states and would provide clearer guidelines regarding break rights and responsibilities to employees and employers.

Conclusion

The WRC's efforts have led to increased compliance by Minnesota's meat and poultry processing employers with the state's labor and employment laws, including the Safe Workplaces Act, the Packinghouse Workers Bill of Rights, WESA, ESST and other applicable laws. This has ultimately improved the safety, health and other working conditions for meat and poultry processing workers in the state. Spending time on site at plants to educate, inform and listen to employers and employees, has proved invaluable in better understanding the industry, its needs and the opportunities to improve the treatment and working conditions of workers. The WRC has successfully developed relationships, met with stakeholders and built a deeper understanding of workers' experiences that will inform DLI's future use of resources, as well as policy proposals.

In the next year, the WRC will continue site visits, education and outreach with employers and employees and connect with stakeholders to share findings. Firsthand experiences on site with workers and employers have given the WRC and DLI a clearer picture of successes from and challenges to implementing new labor and employment laws that impact the meat and poultry processing industry and will inform strategies and policies to come.

Appendix

Letters sent to 88 employers from the workers' rights coordinator.



Dear Employer:

On May 24, 2023, the governor signed S.F. 3035, which establishes new workplace safety requirements for meatpacking and poultry processing employers under the Safe Workplaces for Meat and Poultry Processing Workers Act (Minn. Stat. §§ 179.87 - 179.877); this law took effect on January 1, 2024. S.F. 3035 also included updates to two other laws that specifically impact the meatpacking and poultry processing industries: the Packinghouse Workers Bill of Rights (Minn. Stat. § 179.86) and the Recruitment in Food Processing Employment law (Minn. Stat. § 181.635); these changes took effect on July 1, 2023.

Pursuant to the Safe Workplaces for Meat and Poultry Processing Workers Act, the commissioner of the Minnesota Department of Labor and Industry has appointed a meatpacking industry workers' rights coordinator. The workers' rights coordinator enforces the Safe Workplaces for Meat and Poultry Processing Workers Act, including through inspecting, reviewing, and recommending improvements to Minnesota meatpacking operations' practices and procedures; the position also oversees compliance with the Packinghouse Workers Bill of Rights and the Recruitment in Food Processing Employment law.

In my position as the workers' rights coordinator, I will be communicating with and visiting meatpacking and poultry processing facilities throughout the state to conduct inspections and to provide education. In advance of these visits, please note that employers must grant the workers' rights coordinator and other DLI representatives full access to all operations in the state at any time that meatpacking products are being processed or when workers are on the job.

If you have any questions, please contact me at emmanuel.martinez-cruz@state.mn.us or 651-508-1595.

Sincerely,

E. Martinez

Emmanuel Martinez-Cruz
Workers' Rights Coordinator | Labor Standards

Dear Minnesota meatpacking or poultry processing employer,

This letter serves to provide you with an overview of three laws that specifically apply to the meatpacking and poultry processing industries in Minnesota: the Safe Workplaces for Meat and Poultry Processing Workers Act, the Packinghouse Workers Bill of Rights, and the Recruitment in Food Processing Employment law. **The Packinghouse Workers Bill of Rights and the Recruitment in Food Processing Employment law apply to all meatpacking and poultry processing employers in Minnesota, while the Safe Workplaces for Meat and Poultry Processing Workers Act applies to meatpacking or poultry processing sites with 100 or more employees in Minnesota and certain NAICS codes as detailed in Minn. Stat. § 179.871.**

The Safe Workplaces for Meat and Poultry Processing Workers Act (Minn. Stat. §§ 179.87 to 179.877)

This law applies to meat processing employers, as defined in Minn. Stat. § 179.871, and establishes the following employer obligations:

- Employers must create a facility committee with a certified professional ergonomist, a licensed, board-certified physician and at least three workers to develop and implement an ergonomics program.
- Employers are required to provide safety training to workers who are assigned new tasks and must provide at least eight hours of annual safety training to all workers. These trainings must be provided in a language and with vocabulary that workers can understand.
- Employers must ensure minimum qualifications for medical service providers engaged by the employers.
- Employers must provide certain protections during any future peacetime public health emergency, including distancing measures, the use of face masks and shields, regular hand sanitizing and disinfection protocols.
- Employers must provide workers with adequate break time to use the bathroom, wash their hands and don and doff protective equipment.
- Employers must allow workers the right to refuse to work under dangerous conditions.
- Employers are prohibited from retaliating against workers for exercising their rights under the law.
- Employers must provide written information and notifications about workers' rights under the law to workers annually in a method and in a language workers can understand.
- Sample notices in English, Spanish, Hmong, Somali and Russian can be found at dli.mn.gov/posters if an employer would like to use this notice to meet their notice requirements under the law.

The Minnesota Department of Labor and Industry (DLI) can issue a compliance order for violations of the law as well as a stop work order if there is a condition or practice that could result in death or serious physical harm. Workers also have the right to pursue a private civil action under the law. Available remedies include injunctive relief, penalties and fines, damages, and costs, disbursements, and attorney fees.

The Packinghouse Workers Bill of Rights (Minn. Stat. § 179.86)

This law applies to employers in the meatpacking and poultry processing industries and establishes the following employer obligations:

- Employers are required to provide employees at the start of their employment with certain information about their rights and responsibilities, both verbally and in writing, and in their native language. This information includes a description of salary and benefits, job responsibilities, leave policies, work hours and occupational hazards, as well as workers' compensation insurance information. Additional information must be provided regarding the right to: organize and bargain collectively or refrain from doing so; a safe workplace; freedom from discrimination; and workers' compensation insurance coverage.
- Sample notices in English and Spanish can be found at [dli.mn.gov/posters](https://www.dli.mn.gov/posters) if an employer would like to use this notice to meet their notice requirements under the law.

DLI can issue a compliance order for violations of the law; employees also have the right to pursue a private civil action under the law. Available remedies include fines, damages, costs and attorney fees.

The Recruitment in Food Processing Employment law (Minn. Stat. § 181.635)

This law applies to food processing employers, as defined in Minn. Stat. § 181.635, and establishes the following employer obligations:

- Employers are required to provide a written disclosure of the terms and conditions of employment to a person at the time the person is recruited to relocate to or within Minnesota to work in the food processing industry. The required terms and conditions include, but are not limited to, the nature of work to be performed, the wage rate, the anticipated hours of work, workers' compensation coverage information, employee benefits, and housing availability and costs. The written disclosure must be in English and Spanish, or English and another language if the person's preferred language is not English or Spanish.
- Sample notices in English and Spanish can be found at [dli.mn.gov/posters](https://www.dli.mn.gov/posters) if an employer would like to use this notice to meet their notice requirements under the law.

DLI can issue a compliance order for violations of the law; employees also have the right to pursue a private civil action under the law. Available remedies include fines, damages, costs and attorney fees.

For more detailed information about these laws, please review the statutes listed above or visit <https://www.dli.mn.gov/business/employment-practices/safe-workplaces-meat-and-poultry-processing-workers-act> or <https://www.dli.mn.gov/packinghouse>. If you have any questions, my contact information is listed below. Thank you.

Sincerely,

E.Martinez

Emmanuel Martinez-Cruz, Workers' Rights Coordinator | Labor Standards
emmanuel.martinez-cruz@state.mn.us, 651-508-1595