

## Injury and Injustice--America's Poultry Industry

[http://www.ufcw.org/press\\_room/fact\\_sheets\\_and\\_backgrounder/poultryindustry\\_.cfm?&bsuppresslayout=1](http://www.ufcw.org/press_room/fact_sheets_and_backgrounder/poultryindustry_.cfm?&bsuppresslayout=1)

### **BACKGROUND**

The poultry industry continues to boom while it becomes more and more concentrated in the hands of a few corporate giants.

During the '90s, industry profits rose over 300 percent and in the last five years, operating profits have more than tripled. Worker productivity is at an all-time high. Increasing consumer demand has made poultry the highest selling meat product in the country.



Poultry industry giants--such as Tyson Foods, Pilgrim's Pride and Gold Kist--dominate the market. These three poultry producers alone command nearly 50% of the U.S. poultry market share. In 1990, the top three poultry companies controlled just 35% of the market.

As these companies grow, workers in the poultry industry--workers in the processing plants, contract growers and chicken catchers--have not shared in the prosperity. Real wages for poultry workers have risen by less than 1% over the past decade. Contract poultry growers work under a system that leaves over 71% of all growers earning below poverty level wages. Wages for chicken catchers have fallen in the past decade, with catchers earning about \$92 per day, down from \$107.70, despite working daily 12-hour shifts.

### **Poultry Processing--Crippling Workers**

- Working in a poultry plant is one of the most dangerous jobs in the U.S.
- Injury and illness rates for poultry workers are twice those for all manufacturing.
- One in five poultry workers is injured on the job.
- Worker productivity is at an all-time high. Workers process an average of 190 birds an hour, up from 143 a decade ago.
- Poultry workers suffer from repetitive stress injuries--with workers making the same cutting motion up to 10,000 to 40,000 times a shift and increased line speeds. Rates of repetitive stress injuries have risen--now third highest in the manufacturing sector--while rates in other industries have fallen.
- Lacerations and amputations are common.

### **Exploiting Workers**

- Immigrant workers are lured to work in poultry plants by promises of good jobs with decent benefits. New immigrants are frequently not provided information about their workplace rights, health and safety measures, or social services available in the community. An estimated 50 percent of poultry workers nationwide are Latino. Over 50 percent of the industry's employees are women.
- The value of the poultry industry has doubled over the past decade--industry profits rose more than 300 percent during the '90s.
- Workers' wages have remained stagnant, and despite productivity gains, real wages are the same as they were a quarter of a century ago in 1979.
- Workers' wages and high injury rates translate into 100% worker turnover rates throughout the industry. Turnover rates are much higher in non-union plants than in UFCW locations.
- An average poultry worker supporting two children qualifies for Head Start, food stamps, the National School Lunch Program and Low-Income Home Energy Assistance Program.

### **Poultry Giants: An Outlaw Industry**

The poultry industry is booming while operating outside of the law. In a 1995 General Accounting Office report on *Worker Protection: Federal Contractors and Violations of Labor Law*, Tyson Foods--the largest poultry processing company in the US, was highlighted as one of fifteen companies with numerous violations of more serious labor laws. Tyson operates in the same manner as many other poultry companies-- they break labor laws because there is little enforcement and little sanction.

A 2000 survey of poultry companies by the Department of Labor found that over 60 percent of plants violated basic wage and hour laws. A majority of poultry plants illegally force employees to work off the clock by not compensating workers for job-related tasks before and after their shifts and for brief breaks during the work day.

The DOL survey also confirmed that over half of poultry plants, mainly non-union plants, illegally force workers to pay for their own safety equipment by deducting the costs of required gear from workers' paychecks.

### [DOL Finds Widespread Violations of Federal Laws in Poultry Plants](#)

#### **Off-the-Clock Violations**

In 1999, the UFCW assisted workers in their efforts to file two lawsuits charging Tyson and Perdue with off-the-clock violations, failing to pay them for all their work hours, set-up, preparation and clean up time---all required parts of the job- --are done "off-the-clock." Cheating workers out of wages for all hours worked which cuts into their regular paychecks, but permanently reduces their retirement benefit under their retirement plan.

On May 9, 2002, 25,000 poultry workers got millions in back pay when Perdue Farms agreed to settle with the US Department of Labor. The settlement follows the UFCW four-year-long "Full Pay" campaign.

On August 7, 2002, it was announced that Perdue Farms, Inc. would pay \$10 million to settle a class-action lawsuit by 60,000 poultry workers at the company's 18 plants for failing to compensate workers for time spent putting on and taking off protective gear.

Employees at Tyson Foods also filed suit in federal court in June 1999 charging the poultry giant with cheating employees out of wages by forcing workers to report to the plant early and stay late?working off the clock up to an hour a day putting on and taking off their required safety equipment. Tyson also violates the basic wage and hour laws by failing to provide workers with their required break time. This suit is still pending. Tyson workers are encouraged to call the toll-free number 1-800-BACK-PAY to find out more about the lawsuit.

[Poultry workers want pay for preparation; Industry says efforts don't constitute work \(Courier-Journal\)](#)

### **Injustice for Contract Growers and Chicken Catchers**



Contract poultry growers work under a system that leaves over 71 percent of all growers earning below poverty level wages. Under contract poultry production, growers provide all the investment for the land, buildings, equipment, utilities, and labor in raising the company-owned birds to a marketable age. The companies provide the chickens, feed and medication. As explored in a Baltimore Sun series, the seemingly cooperative farming arrangement is really modern day indentured servitude.

To squeak by with a meager living as a poultry grower, one must sign a take-it-or-leave-it contract with a major poultry company-- accepting the company's terms without any input from the grower--for one flock of chickens (6-10 weeks). If growers do not sign a contract, they will not get any birds placed on his/her farm, making it impossible to make a living.

Compensation for contract poultry growing is determined through a series of calculations including the weighing of the final birds, weight of the feed delivered by the poultry companies, and the ratio of live birds to feed consumed. What would appear to be a fair system is wrought with corruption as the weight calculations are not computerized or validated by any third party. Growers often complain of being cheated for feed or birds, but they have little recourse. If growers complain publicly, they often never get another contract - and many lose their farms.

**Chicken catchers also suffer under terrible working conditions.** Catchers work late hour shifts because chickens are more docile and easier to catch at night. Workers scoop up handfuls of chickens and toss them into the cages to be hauled to the poultry plants by company trucks.

Despite their long hours and company-defined schedules, poultry companies avoid their legal obligation to their employees by unlawfully considering them "independent contractors" and not compensating catchers overtime or providing a safe workplace.

Wages for chicken catchers have fallen in the past decade, with catchers earning about \$92 per day, down from \$107.70, despite working daily 12-hour shifts. A study by the Department of Labor found that over 60% of the poultry plants surveyed failed to pay overtime to chicken catchers. Both catchers and contract growers suffer from respiratory diseases due to exposure dust and bacteria in the chicken houses.