



May 8, 2020

The Honorable Roy Cooper
North Carolina Office of the Governor
20301 Mail Service Center
Raleigh, North Carolina 27699-0301

Dear Governor Cooper:

With more than 800 confirmed cases of COVID-19 at North Carolina meat and poultry processing plants and outbreaks in at least 19 plants, it is urgent that North Carolina's leaders act swiftly to protect the thousands of workers at these plants who call North Carolina home. We are writing to express our grave concerns about COVID-19 related to working conditions in NC's poultry and meat processing plants.

Many NC poultry and meat processing plants claim that they have plans for keeping workers safe against the spread of COVID-19. However, workers on the ground are reporting otherwise. Simply put, NC poultry workers are afraid to be at work now because they fear getting sick and getting members of their families and communities sick. They face an impossible choice: between losing their income or risking their lives. North Carolina government leaders have the power to require specific changes of the poultry and meat processing industry, by Executive Order, emergency rules, enforcing the OSHA general duty clause, and other measures. The voluntary guidance has not been enough to stimulate change in the industry. More is needed.

The conditions in NC's poultry and meat processing plants exacerbate the risks of workers contracting COVID-19: close proximity on the production line and in breakrooms, cold and humidity, infrequent breaks, and lack of access to PPE. Most workers do not have paid sick time or adequate healthcare, most do not have health insurance, and after years earning low wages, they have little reserves to enable them to leave steady employment. Poultry and meat processing workers in North Carolina have to work, no matter the risks.

Meat and poultry workers in North Carolina are asking North Carolina to take some simple but urgent measures to keep them, their family, and, therefore, broader local communities safe.

Paid leave: Almost every NC poultry and meat processing plants is large enough to be exempt from the provisions of the Families First Coronavirus Response Act (FFCRA). Without access to paid leave, workers cannot afford to comply with recommendations for self-isolation if they are

exposed or experiencing symptoms. Therefore, poultry and meat processing plants need to provide at least two weeks of fully paid sick time to cover workers who:

- are ill with COVID-19;
- have COVID-19-like symptoms, and are seeking a medical diagnosis;
- are subject to a federal, state, or local quarantine or isolation order related to COVID-19;
- have been advised to self-quarantine by a health care provider;
- are caring for an individual who is under quarantine (or in isolation) related to COVID-19 in accordance to order by public officials; or following advice of a health-care provider.

Health and safety measures: Sanitation and safety protocols, as well as production line speeds, need substantial changes without delay to protect workers from exposure to COVID-19. For the sake of workers, communities, and continued food production, poultry and meat processing plants should follow all guidelines as issued by the Centers for Disease Control (CDC):

- Companies should consult with authorized worker representatives to receive recommendations from workers about all options for improving safety during this time, including spacing out workers on production lines and slowing line speeds. If needed, additional shifts can be added to meet production and compensate for fewer workers per shift.
- Temperature checks for fever should be conducted at facilities' entry points. However, individuals can transmit COVID-19 without symptoms, and therefore temperature checks alone are insufficient protection.
- Hand washing stations should be easily accessible for all workers, and hand sanitizer available at all-times; the worksite should be disinfected regularly.
- Workers at all departments should receive new gloves after every break and as needed throughout their shifts.
- Workers should be provided with the most appropriate masks available; and plastic barriers if working in close proximity to others is absolutely unavoidable.
- Work tools should not be shared among workers.
- Bathroom breaks (and shift changes) should be staggered to comply with physical distancing public health norms. The numbers of floaters should be increased in order to ensure enough coverage to properly implement this staggered rotation
- Lunch breaks should also be staggered, and breakrooms need to provide ample space for government-recommended physical distancing.
- Parts of the plant, or the entire plant, need to be shut down when there is a confirmed COVID-19 exposure.
- Workers need to be notified as soon as possible, in a language they understand, if they might have come into contact with an infected individual.

Premium pay for essential work: Workers should be compensated for the additional risks they face while continuing to work in processing plants. This values their sacrifice and dignity as essential workers, and also will help ensure that production can remain constant during this time of need. At a minimum, workers should receive Pandemic Premium Pay of at least time-and-a-half for all hours worked until the crisis is over. This should include workers who are placed at poultry and meat processing plants through temporary staffing agencies.

Job Protection: Workers who need to take leave due to COVID-19 exposure or illness--or due to family care obligations related to the pandemic--must be guaranteed the right to return to the same jobs at the same rate of pay until the CDC determines the public health emergency has abated. Other essential workers have this protection through the FFCRA.

Worker voice and worker engagement: During a time like this it is vital for companies to be engaging with their workers. Workers have the most immediate knowledge about conditions in the plants and about what is needed to protect workers' health. Workers are on the front line and their engagement is critical in helping to stop transmission of COVID-19 disease. Recognizing this principle is essential to also protect the communities where the plants are located. No worker should be retaliated against for reporting signs or symptoms of illness; demanding protective equipment; seeking assistance from the government, worker centers, or unions to obtain such equipment; or refusing to work in an unsafe or unsanitary environment. Plant managers need to engage workers through union representatives, health and safety committees, and worker center advocates to understand workers' concerns and to ensure that communications plans during this crisis are clear, efficient, and reach all workers in their preferred language.

While some employers, including those with workforces represented by unions, have taken some of these steps, the majority of our state's meat and poultry processing workers remain unprotected and at risk. North Carolina's leaders, as well as the poultry and meat processing industry, have a moral obligation during this time of crisis not only to its workers but also to the public health of all communities in NC. The government must step in immediately to protect these workers and slow the spread of COVID-19.

Your assistance is greatly appreciated.

Sincerely,

North Carolina Farmworker Advocacy Network

North Carolina AFL-CIO

North Carolina Justice Center

United Food and Commercial Workers, Local 1208

Western North Carolina Worker Center

El Vinculo Hispano/ Hispanic Liason

cc: Secretary Mandy Cohen, North Carolina Department of Health and Human Services

Commissioner Cherie Berry, North Carolina Department of Labor
Commissioner Steve Troxler, North Carolina Department of Agriculture
Secretary Erik Hooks, North Carolina Department of Public Safety