

# Back to the Jungle

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<https://www.newyorker.com/magazine/2020/07/20/how-trump-is-helping-tycoons-exploit-the-pandemic>

Notes by Barry A. Klinger

## 1. THE INDUSTRY AND THE TRUMP ADMINISTRATION

### The Rich Get Richer

by 2019, 10 poultry companies control 80% of US market

class action lawsuit: companies, including Mountaire, illegally held down wages

Maplevale Farms lawsuit: companies, including Mountaire, fixed chicken prices

Stansbury & Summers: biggest driver of income inequality is collapse of private sector unions

### US Poultry Industry Conditions

Dangerous work

- More severe injuries than coal mining & sawmilling
- 2015-2018, dismemberment or in-patient hospital stay about every other day
- only 1/3 unionized, compared to 2/3 meatpackers unionized
- Replacing union workers w/ **contract hires**
- no accountability since they don't officially employ contracted workers
- many such workers immigrants and refugees

### NLRB and OSHA under Trump

National Labor Relations Board (NLRB)

- 5 member bipartisan board, but Trump only filled 3 seats, all Republicans
- NLRB broadened Cruz case to question tradition of not overturning contracts during 1<sup>st</sup> 3 yrs

Occupational Safety and Health Administration (OSHA)

- enforces federal law to prevent employees being subjected to "recognized hazards"
- refuses to order businesses to comply with CDC guidelines for COVID-19
- Trump executive order to "continue operations uninterrupted" despite danger to workers
- Labor Dept protecting companies from worker lawsuits due to COVID
- "workers had to keep working and risk infection – or lose their jobs."
- Mountaire owner Cameron appointed to Trump advisory board on pandemic impacts
- received > 6000 COVID-related complaints by 7 July, issued only one citation

David Michaels, former OSHA head (Obama admin): agency was "saying that the Labor Department would side with the employers if workers sued. That would be unthinkable in any other Administration. OSHA's job isn't to protect corporations – its to protect workers!"

Trump executive order used pandemic as an excuse to further relax enforcement of regs

## Phony Fear of Food Shortages

Tyson's warned of possible food shortages in the US while increasing exports of meat to China

## Poultry Plant Speed-up

Line speed at processing plants set by USDA (measured in Birds Per Minute, **BPM**)

- faster → more profit, more worker injuries
- faster → workers must get closer to each other, facing each other from 2 feet apart

USDA increasing BPM

- 15 waivers to plants in April to increase BPM
  - eight of them had COVID outbreaks at the time
- planning speedup throughout country
- critics say "these policies will result in the deaths of many more workers"

## 2. THE COMPANY

### Mountaire Corporation

Founded in Little Rock, incorporated in Delaware, operations in 5 states

Owned by **Ronald Cameron**, keeps a low profile despite more than \$2.3 B sales

- 2019 sales double 2010
  - worker pay went from 24% less than manufacturing jobs in 2002 to 44% less now
- 6<sup>th</sup> largest US poultry company (according to their website)

### Mountaire's Record

settled 2010 lawsuit racial discrimination & retaliation

\$8 M settlement for 2013 class action for charging workers for their own protective equipment

\$50k EEOC fine 2013 in NC for discrimination against Haitians

- denying bathroom breaks, throwing chicken parts at workers
- had 2x # OSHA violations/worker as Tyson (2010-2016)
- current lawsuit for polluting well water of 800 people in Delaware

### Ronnie Cameron

Mountaire owner inherited company from his father

- he owns most of stock, rest other family members and managers
- right wing Christian who told former friend "you're going to Hell" for being gay.
- was director of the Family, the right wing religious cabal in DC
  - created private foundation, the Jesus Fund, >\$300 M assets in 2018
    - Cameron and Mountaire were sole donors
    - gave \$18 M to NCF which funds anti-abortion, anti-gay etc
  - gave millions to Koch political groups including NRWC, to Tom Cotton
  - gave money to Republican Governors Association

- which helped campaign of Larry Hogan
- who blocked legislation opposed by the poultry industry
- gave almost \$3M to organizations supporting Trump

### 3. THE SELBYVILLE MOUNTAIRE PLANT AND COVID

#### Union Fight in Poultry Plant

Nelson Hill, United Food & Commercial Workers Internat'l Union

- represents 1.3 million poultry-processing, meatpacking, grocery, retail
- almost 30,000 got COVID-19, 238 have died
- Mountaire Corporation trying to kick them out of plant in Selbyville DE after 42 yr
  - 2 yr into a 5 yr contract

#### Anti-Union Case

Selbyville worker Oscar Cruz Sosa raised legal objection to contract

- mandatory union membership
- unions says current contract same language since 1982 at Mountaire
- 30% of workers signed petition for new union election

Case pushed by powerful forces

- National Right to Work Legal Defense Foundation
- Oscar Cruz Committee for Employee Rights working from Rehoboth Beach PO Box

#### Secret Contagion Numbers

Mountaire stopped releasing data on number sick

- cited “privacy” reasons to not release figures, but statistics don’t include individuals’ names
- workers, union, and activists complain that people aren’t told if they were exposed
- people wbill keep working with symptoms because they need the money

#### Protective Equipment

Mountaire says it gives workers cloth masks and puts up Plexiglass shields “where possible”

Union says workers made to pay for “plant supplies”

- via paycheck deduction
- includes gloves and aprons

#### View from the Plant Floor

woman working at plant says:

- “it’s slavery, baby”
- \$13/hr, 1 week vacation a year, 2 chickens + a bag of potatoes at Christmas
  - *note: this is not a contracted worker like ones mentioned above.*

- got COVID hazard pay of \$1/hr, but cancelled in June
  - workers says local convenience stores give \$3/hr hazard pay
- work at low temperatures, breathe antimicrobials such as **peracetic acid**
- “Everything was hush-hush” when people got COVID and stayed home from work
- sick woman sent to company nurse, who then sent her back to the line
  - eventually the same woman was out of work due to COVID

### **Health in Poultry Plants in Delaware**

≥ 2200 poultry workers in Delmarva got COVID-19 Apr/May (*Washington Post*)

DE officials began testing workers

- at one plant, 30% positive

### **Health at the Delmarva Plant**

Mountaire said followed CDC guidelines, but they changed

- 1<sup>st</sup> 2 week quarantine if exposed, then changed to quarantine only if symptoms
  - union says change due to lobbyists and Trump
- did not do plant-wide testing at Selbyville till 27 May
  - 34 tested positive, none with symptoms
- Mountaire started giving paid sick leave to contract workers, who hadn’t had it before
  - but worker said it was only 5 days, 60% of pay
  - got \$40k fine from OSHA in 2016 for onsite medical mismanagement
  - company nurse claimed to be working under local doctor – who said he was not involved with company
  - OSHA found that company pressured workers not to report injuries