

Trump administration halts closure of California meatpacking plant despite eight COVID-19 deaths

Evan Winters
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The Trump administration intervened last week to postpone the closure of a poultry processing plant in California that had been ordered closed by local health officials after at least 392 workers tested positive for COVID-19 and eight died of the disease.

Last Thursday, Merced County public health officials ordered that the Foster Farms plant in Livingston, California, be closed within 12 hours, but the order was suspended following the direct intervention of the administration through the United States Department of Agriculture (USDA). As a result, Foster Farms has forced the plant's roughly 2,500 workers to remain on the job, with the complicity if not outright support of the Democratic Party and the United Food and Commercial Workers (UFCW) union.

Immediately following the initial public health announcement, Foster Farms emailed its workforce ordering workers to report to work that evening. Then, following a call from USDA Undersecretary for Food Safety Dr. Mindy Brashears on behalf of the Trump administration, public health officials announced a 48-hour delay in the shutdown. The decision was supported by Democratic Livingston Mayor Gural Samra, who backed Foster Farms' assertion that the initial shutdown time window was not sufficient.

Foster Farms announced on Saturday that it will continue production until Tuesday evening, at which point it will suspend operations for six days for deep cleaning and mass testing. However, employees at parts of the facility "not experiencing an outbreak" are to continue to report to work. The rest will not be allowed to return to work until they have tested negative two times for the coronavirus. It is unclear whether contractors will be required to be tested.

Workers are reporting that a smaller and largely unreported outbreak is simultaneously occurring at the nearby Turlock Foster Farms plant. Although the company refuses to release totals, at least a dozen workers, including many on a single shift, have contracted the disease.

The decision to continue operating the plant during an uncontained outbreak of COVID-19 risks the lives of the plant's 2,500 employees, innumerable contractors and their

families and communities. Responsibility for this decision rests with Foster Farms, the Trump administration, the Democratic Party, including Mayor Samra and Governor Gavin Newsom, and the United Food and Commercial Workers union, the bargaining agent for the workers.

Deemed an essential service by the Trump administration, US meatpacking has continued to operate throughout the pandemic. These concentrated, fast-paced workplaces have seen some of the highest COVID-19 infection rates in the US and worldwide. Over 38,000 US meatpacking workers have contracted the virus and at least 174 have died, according to the Food and Environment Reporting Network.

The outbreak at the Livingston plant was not a new revelation to health officials, who became aware of the outbreak more than two months ago. The initial response of the Merced County Department of Public Health was to suggest and then order mass testing of Foster Farms employees at the plant.

According to an article in the *Los Angeles Times*, Foster Farms tested less than 10 percent of employees in the department with the most severe outbreak, with over a quarter of the tests coming up positive. Three of the eight deaths have been connected to that department.

Merced County is experiencing one of the highest COVID-19 infection rates in California, with 27.7 cases per 100,000 inhabitants. The Turlock Foster Farms plant is itself a major contributor to this rate, with a facility-level infection rate more than 500 times the county level.

The reported number of 392 positive cases is highly suspect. It is based on worker self-reporting, as Foster Farms follows the example of industries such as auto manufacturing and refuses to release statistics on cases, under the guise of complying with federal medical privacy laws. Even county health officials expressed concern that the numbers may rise after universal testing is completed.

Workers at the Turlock plant report that the company is at least partially notifying workers of confirmed cases, but only after test results come back, a process that regularly takes one to two weeks. If similar practices are in place at the Livingston plant, the total number of infections is likely far above the

official count.

Foster Farms claimed in a public statement that “The illness and deaths occurred despite Foster Farms having promptly implemented a comprehensive set of employee protective measures that strictly adhere to CDC [Centers for Disease Control and Prevention] guidance.” This is a lie.

Workers at the Livingston plant report highly uneven enforcement of COVID-19 safety guidelines. On some chicken-processing lines, workers report often being spaced 2–3 feet apart to keep up the line speed. Mask enforcement is largely treated as optional, with enforcement depending on the supervisor.

To some extent, safety measures put in place in at least parts of Foster Farms’ California facilities do appear to adhere to CDC guidelines. For example, lunch rooms at the Turlock facility seat one worker to a table, with plastic dividers between tables. This only illustrates, in light of the current outbreak, the complete inadequacy of the government guidelines, which were designed to ensure minimal impact on corporate profits.

Production workers at Foster Farms generally make less than \$15 an hour, sometimes significantly less, for what is often intense and dangerous physical labor. But outside meatpacking and farm labor, few jobs are available for workers with limited English proficiency. As a result, a significant portion of the workforce in the Central Valley consists of poor Latino or Punjabi Sikh workers, who are often in their fifties or sixties and often live in multigenerational households with elderly relatives.

This combination of dangerous and cramped working conditions, a global pandemic and high inherent susceptibility to COVID-19 leaves these workers highly vulnerable to the virus. In many cases, workers are not provided critical safety information in their native languages.

However, even the English-language information provided to workers on the spread the virus has been inconsistent and contradictory, as documented by a March 19 letter from the Jakara Movement, a Sikh cultural and youth organization active in the Central Valley. For instance, workers report contradictory messages from human resources and plant floor management.

In April and May, workers were given a one-dollar-per-hour “hazard pay” raise to encourage them to come to work. (This raise has since been retracted, with workers instead offered occasional free frozen poultry items). Many, particularly older workers, initially stayed home for fear of contracting the virus. As a result, the company increased its reliance on highly exploited contract labor.

The use of low-paid contract labor in understaffed meatpacking plants operating at full speed and often in defiance of CDC guidelines undoubtedly accelerated the spread of COVID-19 both within Foster Farms and across the county, as these workers returned home or went to other temporary assignments.

Contract worker Luis Salazar, a 30-year-old resident of Turlock, California, and employee of Marcos Renteria AG Services, was killed in April at the Foster Farms Turlock turkey processing facility. The California Occupational Health and Safety Administration (Cal OSHA) sought to blame Salazar, who was crushed in a conveyor belt, for his own death, claiming that he was continuously falling asleep, with other workers trying to wake him up. But workers report that Salazar had worked at the plant for only a few days and had not received proper training.

Despite the rapid spread of COVID-19, maintenance of dangerously fast line speeds, lax enforcement of safety measures and heavy reliance on contract labor, the UFCW has said and done nothing. Neither the national nor local UFCW websites have any statements or even information about the ongoing outbreak. Through its silence and inaction, the UFCW is literally allowing Foster Farms to get away with murder, both of Luis Salazar and the eight workers who died due to the company’s negligence.

To protect themselves and their loved ones from the dangers of both the pandemic and the factory floor, Foster Farms workers need new organizations of struggle. Foster Farms workers should follow the example of Colorado JBS meatpacking workers, who walked out in defiance of the UFCW in July due to the spread of the virus, as well as autoworkers and educators across the country who have formed rank-and-file safety committees, independent of and in opposition to the trade unions and the Democrats and Republicans. Workers’ demands should include:

- The immediate shutdown of the Livingston and Turlock facilities for deep cleaning
- Immediate notification of new cases and exposures to COVID-19
- Workers’ control over line speed
- Paid medical leave for all workers infected or required to quarantine due to the pandemic
- End contract labor. Hire all contractors full time and provide proper training
- All safety information must be made available in workers’ native languages in a timely fashion



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