

OSHA issues wrist-slap fine to JBS for COVID safety violations

Alex Findijs
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The Occupational Health and Safety Administration (OSHA) has issued a wrist-slap fine of \$14,502 to meatpacking giant JBS for COVID safety violations which led to seven deaths at plants in Colorado and Wisconsin in 2020. This amounts to little more than \$2,000 per death.

In the first few months of 2020, meatpacking plants, notoriously unsanitary, cramped and unsafe even before the pandemic, became major centers of COVID outbreaks, particularly in rural areas. According to the Food and Environment Reporting Network (FERN), there have been nearly 60,000 reported cases among meatpacking workers and 298 deaths since the start of the pandemic. However, FERN has stopped updating these figures since last September.

The JBS beef plant in Greeley, Colorado was one of the sites of major outbreaks. It had confirmed 290 infections, 51 hospitalizations, and five deaths. The scale of the crisis led to spontaneous walkouts by Greeley workers in the summer of 2020. Another JBS site in Green Bay, Wisconsin reported 357 cases and two deaths by August 12.

The scale of the outbreaks prompted OSHA to cite four JBS subsidiaries in April and May of 2020, and for Congress to launch an investigation into JBS and other meat packing companies last year. But two years after the initial citations, the settlement between OSHA and JBS has resulted in a paltry \$14,502 fine. By comparison, JBS, the world's largest meatpacking company, made over \$52 billion in revenue in 2020. This was made possible by keeping workers on the production line as COVID ran rampant through the workplace.

Also included in the settlement are a number of provisions establishing new health protocols and encouraging the company to work with third-party

experts to develop better safety measures against the spread of COVID-19. What these safety measures are is not specified, and JBS is apparently being left to its own devices to develop them. OSHA only states in its announcement, "Four JBS Foods USA subsidiaries and affiliates have agreed to assemble a team of company and third-party experts to develop and implement an infectious disease preparedness plan for seven of its meat processing facilities to protect its workers."

OSHA's insignificant settlement is another in a long line of slap-on-the-wrist penalties for companies with persistent health and safety violations, particularly for meatpacking companies. In September 2020, JBS and Smithfield were issued a combined \$30,000 fine for similar COVID-related citations. On 27 March, 2021, a worker was killed at a JBS plant in Grand Island, Michigan when he was struck by a 2,500-pound paddle wheel that fell. OSHA plans to fine the corporation just \$58,709 for the incident.

The lack of any real punishment for such acts of corporate manslaughter is bound up with the policies of herd immunity and mass infection pursued by both the Trump and Biden administrations. Indeed, the deaths at JBS were made possible by deliberate government policy.

Early in the pandemic, Trump declared meatpackers essential workers and invoked the Cold War-era Defense Production Act to keep plants open. A report issued by the House Select Committee on the Coronavirus Crisis this May revealed that meatpacking corporations colluded with the Trump administration to keep plants open, making false statements that a shortage was imminent.

Documents obtained by the Committee revealed that there were in fact substantial reserves of frozen meat and that pork exports to China were surging during this

time. Because of these lies, tens of thousands of meatpacking workers were infected, and hundreds were killed, while the plants served as centers of transmission into surrounding communities, with an estimated 6 to 8 percent of all COVID infections occurring in the vicinity of meatpacking plants at one point in the early stages of the pandemic.

Mass infection and loss of life have become part of the lived experiences of tens of millions of working class people. A recent study published in the *International Journal of Environmental Research and Public Health* found that 68 percent of all COVID deaths in the first year of the pandemic were among low-income and working class people. It also found that the mortality rate for working class people was five times higher than that those with higher levels of education and wealth.

Jason Salemi, a professor of epidemiology at the University of South Florida and coauthor of the study, issued a warning against claims that the pandemic is over: “If we were to immediately heed the calls to return to ‘normal’ and stop worrying about community spread of the virus, there are certain subsets and members of our community that are going to suffer way more so than other members – and these people have already borne the disproportioned brunt of this pandemic.”

Complicit in the killing of meatpackers and the enforcement of returns to work is the United Food and Commercial Workers Union (UFCW). The UFCW has 250,000 meatpacking members, yet it did nothing to mobilize workers to stop the spread of COVID in meat plants, and even endorsed attendance bonuses to encourage workers to return to unsafe workplaces.

Worse, even amid the initial surge, the UFCW bureaucracy bolstered self-serving claims about workplace safety from meatpackers. In one notorious case, the UFCW worked out attendance bonuses with management at an Iowa Tyson plant amid a major outbreak, while management secretly ran a betting pool over how many workers would eventually become infected.

At least 25,000 UFCW meatpacking members were infected and 135 killed. The union has not made a statement on the settlement as of this writing, but it has indicated that it will work with OSHA to recommend a team of “experts” to develop and implement COVID

safety plans. According to UFCW President Marc Perrone, the union will also work with politicians to develop “a comprehensive meat processing safety bill.”

The orientation of the unions to Congress amounts to one of the accomplices of the meatpacking industry appealing to another. When the pandemic first began, it was not the UFCW that forced the shutdown of meatpacking plants to save lives, but the workers themselves who organized protests independently of the union.



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