16-year-old immigrant killed while working in Mississippi poultry plant

J. L'Heureau
21 July 2023

Sixteen-year-old middle school student Duván Robert Tomás Pérez, an immigrant from Guatemala, was killed on the evening of July 14 when his body became trapped on a conveyor belt he was cleaning inside a poultry plant in Mississippi.

The company told CNN that "an employee conducting sanitation operations at Mar-Jac Poultry MS LLC's Hattiesburg, Mississippi poultry processing plant died as a result of injuries sustained in an accident." Pérez's uncle told Telemundo, "His whole body was pulled in where he couldn't stop himself."

The horrific workplace death is another dramatic consequence of the reversals to child labor laws that have picked up steam in the recent period. Moreover, it is another bleak illustration of the dangerous working conditions workers of all national backgrounds and in all industries are forced to endure on a daily basis in the wealthiest country in the world.

Gainesville, Georgia-based Mar-Jac Poultry, whose "fully integrated poultry production" processes "2,000,000 birds per week," according to its website, has been cited on numerous occasions since 2020 by the Occupational Safety and Health Administration (OSHA) for safety violations.

Pérez is one of three workers to be killed at the Hattiesburg plant in less than three years. Joel Velasco Toto, 33, died in the hospital in December 2020 after sustaining "abdominal and pelvic trauma caused by a compressed air injury" while working in the battery charging room in the plant, according to AP News. In May 2021, 28-year-old Bobby Butler was killed when his shirt was caught by a machine and was pinned under it while working late at night in the plant.

The company feigned shock when learning that Pérez was a minor, blaming his employment on the staffing agency it uses to fill positions at its plants. In reality, this is increasingly common. The incident follows the revelation earlier in the year of the employment by Wisconsin-based Packers Sanitation Services Inc. (PSSI), a cleaning subcontractor for major food processors, of over 100 children between the ages of 13 and 17 years old at 13 different meatpacking plants throughout the US.

Jordan Barab, former deputy assistant secretary of labor at OSHA from 2009 to 2017, told the *HuffPost*, "You have some employers who are basically going after the most vulnerable workers, the workers with the least ability to fight back or question anything. Who could be more vulnerable than (A) children and (B) immigrant children?"

Commenting in an interview on the underlying causes impelling countless unaccompanied migrant children into these situations, Elora Mukherjee, director of the Immigrants' Rights Clinic at Columbia Law School, stated the following: "Some of the fault certainly lies with the federal government. The fault also lies with the push-and-pull factors that lead children to migrate to the United States. Many of the countries where child migrants are coming from are effectively failed states. The governments cannot provide basic security to children and to large swaths of the population. And the children who are being sent north to the United States feel a tremendous responsibility to try to put food on the table for their parents or siblings. Often, unfortunately, they need to pay back smugglers as well. So the children are facing enormous pressures. They need money."

In the same interview, Columbia law Professor Kate Andrias said: "Child labor laws have always allowed children to do some work. If you're 14, if you're 16, you can babysit, you can work in a retail job a few hours on the weekends. The idea behind child labor laws is to make sure that the kind of work that children engage in is a supplement to their education.

"What we have going on right now is much more than that. It's children working as roofers. It's children working on farms. It's children working in dangerous factories with toxic chemicals. It's children working very long hours. It's a particular problem for migrant children and undocumented children, but it's not limited to those children."

Two more 16-year-olds, both high school sophomores, also died on the job last month. Will Hampton died while

© World Socialist Web Site

working at Lee's Summit Resource Recovery Park landfill in Missouri after he became pinned between a tractor-trailer rig and its trailer. Michael Schuls died by traumatic asphyxiation after getting trapped on a conveyor belt while working unsupervised at the Florence Hardwoods sawmill in Wisconsin.

The federal Department of Labor (DOL), in an incredible admission of how little oversight exists over child labor legislation and prohibitions, stated in its "Child Labor Provisions of the Fair Labor Standards Act (FLSA) for Nonagricultural Occupations" that "It is an unfortunate fact that children do get injured, even killed, in the workplace. The National Institute for Occupational Safety and Health estimates that 160,000 American children suffer occupational injuries every year—and 54,800 of these injuries are serious enough to warrant emergency room treatment."

These injuries take place alongside the routinely high number of workplace deaths throughout the US industrial slaughterhouse machine. In another self-indictment, this time of the trade union bureaucracy, the AFL-CIO's "Death on the Job" reported that in 2021:

• 5,190 workers were killed on the job in the United States

• 343 workers died each day from hazardous working conditions

• An estimated 120,000 workers died from occupational diseases

• The job fatality rate increased to 3.6 per 100,000 workers

• Employers reported nearly 3.2 million work-related injuries and illnesses

• The number of children who died on the job in 2021—24 were younger than 18 years old, and 350 were younger than 25 years old

• Underreporting is widespread—The true toll of work-related injuries and illnesses is 5.4 million to 8.1 million each year in private industry

• The true impact of COVID-19 infections due to workplace exposures is unknown.

The report further added, "Workplace violence, musculoskeletal disorders from repetitive motion injuries and occupational heat illness continue to be major problems, but data no longer is reported annually to track and understand these important issues."

Be it in the meatpacking industry, at auto parts suppliers or fast food restaurants, multibillion-dollar corporations have routinely been issued paltry financial slaps-on-the-wrist, usually in the tens of thousands of dollars, for either violating child labor laws or fatal safety violations.

"We're now seeing recurring patterns in the economy that existed earlier in our history," Andrias said. "The data suggests that there has been a resurgence in child labor in recent years. In 2022, the Department of Labor (DOL) documented an increase of 37% over 2021 in the number of minors employed illegally. That was an increase of 283% from 2015. It's possible the DOL is catching more violations. But most people think it's actually an increasing problem."

One of the main drivers of this increase has been the spread of state legislation steadily clawing back restrictions on child labor. Ten states have introduced bills directed towards this effort over the past two years.

The Economic Policy Institute (EPI) reported in March on bills that have been enacted in Arkansas (HB 1410 "Eliminates age verification and parent/guardian permission requirements"), Iowa (HF 2198 "Lowers minimum age of child care workers; increased staff-to-child ratios"), New Hampshire (SB 345 "Lowers age to bus tables where alcohol is served; extends work hours") and New Jersey (A4222 "Extends work hours; increases time before break").

The EPI report explained: "Across the country, the primary proponents of these laws are business groups and their state affiliates, particularly the National Federation of Independent Business, the Chamber of Commerce, and the National Restaurant Association (Lazare 2022). Hotel, lodging, and tourism associations, grocery industry associations, home builders, and Americans for Prosperity—a billionaire-funded right-wing dark money group—have also supported bills in various states."

Andrias said, "There's a concerted effort on the part of businesses to change the laws to make it easier to exploit labor. What's really driving this is a desire of corporations to pay less for labor. If pay were higher and conditions were better, there would likely be enough adults willing and available to do the work. The problem is that companies would like to make more profits, pay workers less, and they are able to do that if they exploit migrant children or other children who don't have alternatives."

To contact the WSWS and the Socialist Equality Party visit:

wsws.org/contact

© World Socialist Web Site