

Congress of the United States

Washington, DC 20515

May 1, 2020

President Donald J. Trump
The White House
1600 Pennsylvania Avenue
Washington, D.C. 20500

Secretary Eugene Scalia
United States Department of Labor
200 Constitution Avenue NW
Washington, DC 20210

Secretary Sonny Perdue
United States Department of Agriculture
1400 Independence Avenue SW
Washington, D.C. 20250

Secretary Alex M. Azar
United States Department of Health and Human Services
200 Independence Avenue SW
Washington, D.C. 20201

Dear Mr. President, Secretary Scalia, Secretary Perdue, and Secretary Azar:

We are alarmed by serious outbreaks of COVID-19 cases at poultry and meat plants all over the country, and many workers have noted a lack of guidance from their employers which has put them in the position of choosing between their livelihoods and their health. Though the Centers for Disease Control and Prevention (CDC) and Occupational Safety and Health Administration (OSHA) have released guidelines to promote health and safety, it is clear that the lack of enforceability has led to unacceptable examples of noncompliance.¹

Given these serious worker safety and public health concerns, we are disappointed to see that your Executive Order invoking the Defense Production Act to keep meat processing plants open includes no further guidance about worker safety or increased safety standards. It is certainly important that we maintain food supply chains in this time of unprecedented crisis, but that goal is undermined if workers processing the food are not kept healthy and workplaces are unsafe. More than 3,000 workers in the meat industry have already contracted COVID-19, and at least 17 have died.² In light of recent outbreaks at these plants, we encourage you, the CDC, OSHA, and USDA to implement the following policies for meat processing facilities:

- Implement strict, enforceable standards for meat processing plants that include social distancing measures and access to personal protective equipment (PPE);
- Implement mandatory, priority COVID-19 testing for all meat processing workers and ensure that employers comply with paid sick leave laws for COVID-19 signed into law in the Families First Coronavirus Protection Act;

¹ Liz Crampton, "Court orders meat company to protect workers at Missouri plant," POLITICO (April 27, 2020) available at <https://www.politico.com/news/2020/04/27/meatpacking-plant-coronavirus-211632>.

² National Employment Law Project. President Trump's Meatpacking Plant Executive Order Puts Thousands of Workers' Lives at Risk (April 208, 2020) available at <https://www.nelp.org/news-releases/president-trumps-meatpacking-plant-executive-order-puts-thousands-workers-lives-risk/>.

- Require a decrease in line speeds at all meat processing plants, pause any existing line speed waivers, and immediately stop issuing new line speed waivers. At current line speeds, social distancing is virtually impossible;
- Implement comprehensive whistleblower protections and anti-retaliatory measures for workers speaking out about health and safety concerns or utilizing any sick leave or other forms of leave.

Providing PPE and ensuring proper public health practices should rest on the employer and relevant federal agencies, not on the workers. Any federal mandate that an employer remains operational must come with adequate assistance from the federal government in securing necessary PPE and other safety equipment, as well as enforceable guidelines for worker safety. A secure food supply cannot exist without healthy workers. While the Executive Order may seek to keep meat plants open, it will not be effective without addressing worker health and safety in a more holistic manner.

We thank you for your attention to this matter and look forward to your response.

Sincerely,



David Price
Member of Congress



Mark Pocan
Member of Congress



Jan Schakowsky
Member of Congress



Rosa L. DeLauro
Member of Congress