

Meeting Minutes: Governor's Committee on the Safety, Health, and Wellbeing of Agricultural and Food Processing Workers

DATE: 08/02/2021

MINUTES PREPARED BY: MIKE ZASTOUPIL

Attendance

Present

- **Rena Wong**, Director of Organizing, United Food and Commercial Workers (UFCW) Local 663
- **Mike Zastoupil**, Food Access Associate, Minnesota Department of Health
- **Lorrie Janatopoulos**, CareerForce Director, Minnesota Department of Employment and Economic Development
- **Andrea Vaubel**, Deputy Commissioner, Minnesota Department of Agriculture
- **Susan Bishop**, Supervisor, Minnesota Department of Health, and Migrant Agricultural Worker Response Lead, ICS
- **Kevin Paap**, President, Minnesota Farm Bureau
- **Colin Laffey**, Staff Attorney, Agricultural Worker Project, Southern Minnesota Regional Legal Services (SMRLS)
- **Sarah Berry**, Public Health Director, Waseca County | CHS Administrator, Le Sueur – Waseca Community Health Board
- **Kristi Halvarson**, Executive Director, Community Health Service, Inc.
- **Nicole Blissenbach**, Deputy Commissioner, Minnesota Department of Labor and Industry
- **Jennifer Christensen**, President, United Food and Commercial Workers (UFCW) Local 1189
- **Maureen Ramirez**, Director of the Office of Economic Opportunity, Minnesota Department of Employment and Economic Development
- **Tamara Nelsen**, Executive Director, Minnesota AgriGrowth Council

Absent

- **Rodolfo Gutierrez**, Executive Director, HACER
- **Emilia Gonzalez Avalos**, Executive Director, Unidos MN

- **Kiza Olson**, CHS Administrator, Meeker-McLeod-Sibley Community Health Services
- **Gary Wertish**, President, Minnesota Farmers Union
- **Carrie Rigdon**, Operations and Planning Section Manager, Minnesota Department of Agriculture
- **Hamse Warfa**, Deputy Commissioner, Minnesota Department of Employment and Economic Development

Guests Present

- Josie Chavez, Migrant Labor Rep for West Central Region, DEED
- Janie Sandoval, Mankato CareerForce, DEED

Agenda

- 1:00 PM **Welcome**
- 1:05 PM **Approve Minutes & Meeting Agenda**
- 1:10 PM **Public Comments**
- 1:15 PM **Member Introductions**
- 1:30 PM **Plan for Phase 2 – Recommendation Development**
- 2:50 PM **Final Thoughts & Next Steps**
- 3:00 PM **Adjourn**

Meeting notes

Approve Minutes & Agenda

DC Blissenbach motioned to approve the minutes, Susan second. Approved.

Sarah Berry motioned to approve the agenda, DC Blissenbach second. Approved.

Public Comments

None.

Member Introductions

Rena Wong – UFCW 663

Rena's local represents over 13,000 workers in retail & grocery, meatpacking, and healthcare. Rena is the organizing director, which means she helps workers facilitate unions, she helps to

get legislation passed, and she helps workers organize internally for better wages and safer working conditions. Recently, Rena has worked a lot on the Minnesota Safe Workplaces for Meat and Poultry Processing Workers Act (<https://www.ufcw663.org/blog/2021/01/27/meatpacking-workers-announce-new-legislation-to-improve-safety-on-the-job/>).

Rena read Upton Sinclair's novel, *The Jungle*, as a kid – those food safety issues have largely been addressed by now. What Rena sees as the problem today in meatpacking is unacceptably high injury rates. An example is repetitive stress injuries. Her union works hard to have workers “come home in the same shape and health as they left home with.” The American Defensive Production Act was passed to keep meatpacking plants open and prevent meat shortages, but it also led to a lot of workers becoming exposed to COVID-19 on the job. Social distancing and safety guidelines from the Governor were optional for employers, and those businesses that didn't follow the guidelines had harmful consequences for their workers. UFCW 663 had a member testify that half of his coworkers got sick, and he still has long-term symptoms, but he is now back to work. As the Minnesota legislature decides how to give millions of dollars to frontline workers, Rena is advocating that these are the types of frontlines workers who deserve payment.

So Rena worked hard this year on legislation to get better enforcement of health and safety standards, and better training – not just during COVID times, but for the long-term. Many of these workers are new Americans – don't know their rights, where to get help, etc. They have varying citizenship status, which impacts everything from their ability to get a driver's license to their willingness to speak out about workplace safety violations. That's why Rena is excited to be a part of this committee, and she hopes that this committee can drive policies that addresses the needs of these meatpacking workers.

Kevin Paap – Minnesota Farm Bureau

Unable to attend.

Plans for Phase 2 – Recommendation Development

Review of Gaps Previously Presented

Lorrie covered major gaps in farmworker programs from each agency, asking each agency rep to comment. Susan added that the MDH housing inspections that are delegated to 30 local agencies are not coordinated at all (could use more coordination). Sarah Berry works as a local delegated authority, and said that there is a standardized checklist, but she confirmed that there is not an easy way to compile all of the housing inspections data in one central location for the state.

Lorrie also summarized the results of the committee member survey. Rena brought up workplace injuries and safety as a gap that we haven't discussed/addressed yet. DC Blissenbach brought up a correction she wanted to make, about DLI's authority over housing inspections. There is a MN OSHA standard for temporary labor camps for egg, poultry, red meat processing, and post-harvest processing of agricultural commodities. What is unclear is how many

temporary labor camps there are in these specific categories. The MNOSHA hasn't received a complaint or conducted an inspection related to the specific temporary labor camp standard for at least 5 years, which the committee thinks only highlights the fact that this standard may not be effective or applicable to certain problem areas, and needs to be improved. This is another example of how incredibly complicated the patchwork of jurisdiction is.

What Rena saw as a consistent problem over the past year is the lack of enforcement, which led to Rena advocating for the MN Safe Workplaces Act this past year. There are technically rules and regulations out there, but there isn't enforcement or the capacity to fully enforce the rules, for example around workplace safety. Most New American workers are afraid to make a complaint, so we can't rely on a complaint-based system. This also speaks to the need to train workers on their rights and how to report complaints. And then at the state agency level, there needs to be someone who is truly tracking this information and able to enforce the law. Even with unions providing support, a lot of issues aren't brought up by workers and go unresolved.

Sarah apologizes that she wasn't able to be on the call about housing, because it is such a challenging issue and she is involved in this work. The private housing situation for workers is bad, and there isn't much – if any - regulation over this area. Sarah is seeing a lot of workers using private housing, especially in mobile home parks, where MDH and LPH don't have authority to inspect inside individual housing units.

Colin emphasized that housing is so complex, that even us as expert committee members have a hard time wrapping our heads around, which means workers are completely helpless in this area. Which speaks to the need to really find solutions in the issue of housing.

Kristi agrees that we should focus on housing, and especially private housing. It's very hard for people to find 3-, 6-, or 9-month leases. Homelessness can be a big problem, especially if work doesn't start right away, and workers aren't getting a paycheck to put a deposit down.

Tamara noted that a number of employers asked employees to voluntarily stay home if they exhibited symptoms. But because so many people wanted to show they are hard workers and not lose their job, they came in sick and spread COVID. So, when we talk about gaps, we also need to consider how individual perceptions and psychology/sociology influence how policies are actually implemented in real life. This is one example of a lesson we can learn from COVID, even though we are focused on long-term health and safety solutions.

Susan brought up the myriad issues with lack of sick pay, unemployment benefits, wages unpaid, and other things that exacerbated the situation of workers coming to work with COVID symptoms that Tamara brought up.

Rena also wants to emphasize the fear of retaliation from their employers. Even when she talked to workers with horrific stories, they were too afraid to speak up because of their immigration status. No matter how much you try to educate them or explain it to them, it is a difficult challenge. Maybe if workers saw that employers were actually held responsible for violations, workers would feel less afraid to speak out.

Susan still has questions about aggregating data, for example for housing. If we were able to do that, what would it look like, and how would it be used?

DC Blissenbach thinks If there was better information publicly available about housing (where it was, how many workers, what type, whose jurisdiction) – that would open up a lot of doors. She thinks that possibly one reason that they haven't done inspections of temporary labor camps for 5 years, for example, is because we lack this type of centralized data that could guide inspections in the absence of complaints. If we had a centralized database, each agency could see where their jurisdiction lies and improve their enforcement of the applicable housing standards.

Moving from Gaps to Recommendations

Mike led the committee through a timeline exercise to come up with meeting objectives for the 8 remaining committee meetings before the report is due. The committee also contributed ideas for how to structure each meeting, which the interagency work group will continue to build on as they plan for each upcoming meeting. The meeting timeline with objectives is as follows:

- August 16th** – Identify the specific issues this committee will address related to “Housing”
- August 30th** – Identify the specific issues this committee will address related to “Workplace Safety”
- September 13th** – Identify remaining specific issues
- September 27th** – Identify recommendations for specific issues
- October 11th** – Identify recommendations for specific issues
- October 25th** – Finalize all policy recommendations, so we are ready to start writing the report.
- November 8th** – Write a first draft of our policy recommendations
- November 22nd** – Review a final draft of the policy recommendations report
- December 1st** – Submit the final report to the Governor’s Office

Final Thoughts & Next Steps

Meeting adjourned at 2:58 PM.

Decisions

- None.

Action items

- Work group will use the Phase 2 Timeline to prepare for the next committee meeting.

Next Meeting

August 16th, 2021, from 1:30 – 3:00 PM

Microsoft Teams meeting

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