

Subject Safe Workplace for Meat and Poultry Workers Act

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Overview

This bill establishes the Safe Workplace for Meat and Poultry Workers Act.

Summary

Section	Description
1	<p>Title.</p> <p>Titles the new sections created under this bill as the Safe Workplace for Meat and Poultry Workers Act (the Act).</p>
2	<p>Definitions.</p> <p>Provides definitions used in the Act. Defines “meat-processing worker” as an individual working directly with raw meatpacking products in the meatpacking operation, including independent contractors and those hired by a staffing agency.</p>
3	<p>Worker rights coordinator.</p> <p>Requires the commissioner of labor and industry to appoint a meatpacking industry worker rights coordinator to enforce the Act, who will inspect, review, and recommend practices and procedures for improving meatpacking operations, and must submit an annual report to the governor and legislative committees.</p>
4	<p>Refusal to work under dangerous conditions.</p> <p>Allows a meat-processing worker to refuse to work if they have a good faith belief there is a hazardous working condition that would put themselves, other workers, or the public at risk, the worker has requested the employer correct the hazardous condition, and the employer has not done so. Requires continued pay for the hours the worker would have worked and prohibits an employer from taking adverse action against the worker for their good faith refusal to work.</p>
5	<p>Unemployment insurance; dangerous meatpacking conditions.</p> <p>Leaving meatpacking employment for the following reasons is considered “good cause” for the purposes of qualifying for unemployment insurance benefits: (1) due</p>

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- to an unsafe or unhealthy working condition if the employer was notified or should have known of the condition and did not correct it; (2) due to a condition requiring a workplace closure or reduced operations by executive order during a public health emergency; (3) to care for a seriously ill or quarantined family member or to care for a child whose school is closed during a public health emergency; or (4) if the condition would require the worker to violate public health guidance or pose an unreasonable health risk. Proof of the risk is not required during a public health emergency. Authorizes administration and enforcement by the commissioner of employment and economic development.
- 6 Enforcement and compliance.**
Gives the worker rights coordinator administrative enforcement authority, the attorney general and state and county attorneys enforcement authority, and the commissioner of labor and industry compliance authority. Provides a private civil action for violations of the Act, including for whistleblower claims. Provides for a civil penalty, damages, payment, attorney's fees, and injunctive relief for violations.
- 7 Retaliation against employees and whistleblowers prohibited.**
Prohibits retaliation or any adverse action against a meatpacking worker who reports health or safety concerns, and creates a presumption of retaliation if adverse action is taken against the worker within 90 days of reporting. Prohibits a contract or agreement limiting a worker's right to report. Provides a fine, lost pay, attorney fees, and three times the amount of damages for whistleblower violations.
- 8 Meatpacking worker chronic injuries and workplace safety.**
Subds. 1-5. Establishes safe worker program requirements for meatpacking employers as part of their work accident and injury reduction program. Requires a knowledgeable committee to develop and implement the program, which must address procedures for identifying, preventing, and reducing ergonomic hazards and contributing risk factors. Requires training and information for new employees or new tasks, and at least eight hours of annual health and safety training. Training compliance records for each employee must be maintained and available upon request.
Subds. 6-7. Provides qualifications and requirements for medical and first-aid workers engaged by a meatpacking employer, including guidance on management of musculoskeletal injuries like carpal tunnel, tendinitis, muscle strains, or shoulder, finger, or back injuries. Authorizes rulemaking for record keeping requirements of ergonomic hazards.
Subd. 8. Pandemic protections. Provides several pandemic protections that apply during a peacetime public health emergency declared by the governor. Pandemic-specific requirements include: provide and require PPE for employees,

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maintain social distancing and minimum six-foot radius of space between workers, provide hand sanitizer, and ensure frequent cleaning and disinfecting. General requirements include: provide notice to employees, provide adequate break times and sufficient PPE, establish a health and safety committee, and keep records of workplace injuries and illnesses. Additional sick leave requirements include: provide one hour of paid sick time per 30 hours worked to employees, and allow mandatory carryover of accrued leave from one year to the next or annual payout, at the employee's option. Employers must maintain and keep sick use records for three years and cannot require employees to disclose private details of the reason for sick leave. An employer or collective bargaining agreement may provide better sick leave benefits than the Act requires.

9 **Notification required.**

Employers must provide written notice to employees of their rights under the Act in a language they understand at least annually. The worker rights coordinator must provide annual updates and post information for employees.

10 **Appropriations.**

Provides appropriations to the commissioner of labor and industry for the purposes of the Act.



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