

Subject Safe Workplaces for Meat and Poultry Processing Workers Act

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Overview

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

Summary

Section	Description
1	<p>Title.</p> <p>Titles the new sections created under the bill as the Safe Workplaces 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 temp service or staffing agency. Also includes workers inspecting or packaging meatpacking products or cleaning, maintaining, or sanitizing equipment and services. The provisions of the Act apply to meatpacking operations with 50 or more employees.</p>
3	<p>Worker rights coordinator.</p> <p>Requires the commissioner of labor and industry to appoint a meatpacking industry worker rights coordinator as part of the department. Provides enforcement authority of the Act to the commissioner, who may inspect, review, and recommend practices and procedures for improving meatpacking operations. Requires the coordinator to submit an annual report to the governor and relevant legislative committees with recommendations for treatment of meatpacking workers.</p>
4	<p>Refusal to work under dangerous conditions.</p> <p>Allows a meatpacking worker to refuse to work under dangerous conditions as provided under existing law. Prohibits discrimination and requires continued pay for the worker as required by existing law.</p>

Section	Description
5	<p>Enforcement and compliance.</p> <p>Provides administrative enforcement and compliance authority to the commissioner of labor and industry over alleged violations of the Act. Allows the commissioner to seek relief under existing law if a meatpacking employer does not comply. Provides a private civil cause of action for an aggrieved individual or their authorized employee representative for violations of the Act. Also gives the attorney general and state and county attorneys enforcement authority over the Act. Provides for relief in a civil action or administrative proceeding to include an injunction, payment of costs, disbursements, and attorney's fees to the prevailing worker, and a daily civil penalty to the state. Also provides for a private civil action for whistleblower claims. Requires written notice to the worker rights coordinator of the specific violation, and allows for a private cause of action if no enforcement authority is taken by the commissioner within 30 days. Recovery of a civil penalty for whistleblower claims will be paid 70 percent paid to the commissioner for enforcement, and 30 percent to the individual or authorized employee representative.</p>
6	<p>Retaliation against employees and whistleblowers prohibited.</p> <p>Prohibits discharge or discrimination against a meatpacking worker who reports health or safety concerns, or for exercising a right under the Act. Prohibits a contract or agreement limiting a worker's right to disclose health or safety hazards. Reporting the immigration or citizenship status of a meatpacking worker or a family member due to exercising a right under the Act is considered an adverse employment action. An aggrieved worker is entitled to three times the amount of damages, lost pay, attorney fees, and costs for violations of the Act. A company faces up to a \$10,000 fine for retaliation.</p>
7	<p>Meatpacking worker chronic injuries and workplace safety.</p> <p>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.</p> <p>Subd. 6. Provides qualifications and requirements for medical and first-aid workers engaged by a meatpacking employer, including guidance on medical management and prevention of musculoskeletal injuries. Records of workers' medical or first-aid visits must be maintained and a redacted version available upon request.</p>

Section Description

Subd. 8. Pandemic protections. Provides several protections that apply during a peacetime public health emergency declared by the governor involving airborne transmission. Pandemic-specific requirements include: provide and require PPE for employees; maintain social distancing and minimum six-foot radius of space between workers without nonporous separation barriers; provide handwashing or hand sanitizing facilities; and ensure frequent cleaning and disinfecting.

Other general requirements that apply during a peacetime public health emergency include: provide required notices to employees in a language they understand; provide adequate break times and sufficient PPE; keep records of workplace injuries and illnesses; and make redacted records available upon request.

Additional sick leave requirements that apply during a peacetime public health emergency include: meatpacking employers must provide paid sick leave for the illness or injury of an employee or their family member; employees must accrue one hour of paid sick time per 30 hours worked and be allowed to carryover accrued but unused leave from one year to the next or to receive an annual payout, at the employee's option; and employers must maintain sick use records for three years and cannot require employees to disclose private details of the reason for sick leave. Provides other requirements related to sick time use, including that employees be provided notice of such requirements in a language they understand. An employer or collective bargaining agreement may provide more or better sick leave benefits than the Act requires.

8 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, including on the DLI website.

9 Refusal to work under dangerous conditions.

Modifies and expands existing law that allows an employee acting in good faith to refuse to work under dangerous conditions. Allows the commissioner to order reinstatement of an aggrieved employee, compensation for unpaid wages and benefits, or front pay, plus compensatory damages. Gives the employer the right to contest a commissioner's order.

10 Appropriations.

Appropriates money to the commissioner of labor and industry in fiscal years 2024 and 2025 for the purposes of the Act.



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