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POSTED ON APRIL 4, 2007:

A fast-moving line and a union trying to keep up

By Bob Geary
Independent Weekly (Raleigh, Durham, Chapel Hill)

That the world's largest hog processing plant is located in the tiny Bladen County town of Tar Heel, 80 miles southeast of Raleigh, is not by accident. It's there, observes the Rev. Mac Legerton, a veteran activist who runs the Center for Community Action in nearby Lumberton, for the simple reason that Bladen is one of the poorest counties in America, as are its neighbors, Robeson and Columbus counties, and because North Carolina is the least unionized of all the states. But don't blame Smithfield Foods for putting its packing subsidiary's biggest plant where the cheap labor is, Legerton advises. (About half of Smithfield's other facilities do have unions, he notes.) Instead, blame local and state officials for letting the Tar Heel plant grow to gargantuan proportions, blunting any chance that a decentralized pork industry, one that's locally owned and is environmentally and economically sustainable, could grow up instead in the downtrodden Down East region.

The tragedy, Legerton argues, is that in the rest of the state, policymakers have largely abandoned the old model of "extraction economics," where an outside corporation is allowed to use up the local resources—the land, labor and indigenous culture—and export the profits. The collapse of our textile and furniture industries showed the folly of that model in the face of globalization. Economically viable communities must henceforth be based on locally owned businesses and the "four Ps"—"place, people, productivity and profit—in that order," he declares. "Not the opposite."





Nonetheless, he says, elected officials sold out his part of the state to Smithfield.

Compounding the tragedy, Legerton adds, policymakers allowed Smithfield not only to control the pork industry and extract the profits, but also to "insource"-his term-even cheaper labor than was already in the region by hiring so many immigrant Hispanic workers. In the '90s, when Smithfield Packing opened, its workforce was majority black, with few Hispanics employed. Today, less than half the 5,200 workers are black, according to the company, and almost 40 percent are Hispanic, with the rest Native American or white.

For Legerton, whose earliest ministries were with migrant workers in California, and who was in La Paz in 1973 when Cesar Chavez opened the first convention of the United Farm Workers union, it's a terrible history of exploitation repeating itself. The only difference is, work in the lettuce fields was brutal and hot. At Smithfield, it's indoors and refrigerator-cold.

"Instead of learning and limiting the harm of the old migrant labor system in the fields," he says, "we expanded it into the factories. It makes me cry."

It also makes him a union supporter in the epic labor organizing battle that goes on at Tar Heel between the company and the United Food and Commercial Workers Union (UFCW)-a supporter, but not an uncritical one. "My problem with even commenting on the union issue," Legerton says, "is that there's been such demonization that's occurred in this campaign-both ways."

It's a campaign that began almost as soon as Smithfield Packing opened its doors in 1992. The union forced votes in '94 and '97 and lost them both to the company's outrageous and illegal anti-union campaigns. Subsequent National Labor Relations Board (NLRB) findings and federal appeals court decisions, all won by the union and lost by the company, detailed Smithfield's abuses, which were summarized by the Ninth Circuit Court of Appeals in Washington as "coercion and intimidation" on a mass scale: Union supporters were spied on, threatened and fired; workers were told the plant would close if they voted the union in; migrant workers were threatened with immigration raids unless they voted with the company; and on and on-the findings of an NLRB trial judge against Smithfield ran to 443 pages.



Smithfield's appeals dragged the case out until May 2006, however, by which time the NLRB's order that a new election be conducted-at the union's discretion-was beside the point. The union no longer wanted an election-only the company was pushing for one.

That's right. The UFCW's strategy has turned around 180 degrees. It now vows never to call for an election, but instead means to force Smithfield to recognize it by a campaign featuring consumer boycotts and public humiliation. On Saturday, for example, the union and its allies picketed at 16 Harris Teeter stores in North Carolina and Tennessee in an effort to get the store chain to stop retailing Smithfield's products.

In response to the UFCW's efforts, Smithfield has also changed its tactics at Tar Heel 180 degrees. Formerly shut down to the press and community groups, with its plant completely off-limits, Smithfield is now engaged in its own public relations campaign to show that the company isn't so bad after all, even though, as its polished spokesman Dennis Pittman does concede, "nobody's perfect ... some things could've been done better."

A few months ago, Pittman surprised a group of church folks-union supporters-who were meeting nearby when he granted their request to tour the plant, and not some day, but that very day. Their visit was unpublicized, but after an account of it appeared on the N.C. Council of Churches (NCCC) Web site recently, he approved the Independent's request for a similar visit, with the caveat that picture-taking was prohibited inside.

The Smithfield plant: Dangerous?

In her description of the plant, NCCC official Barbara Zelter called Smithfield Packing "a miracle of efficiency, a bloody, gutty race to turn 30,000-plus live hogs each day into the packaged food we buy." (See her account at www.ncccouncilofchurches.org .)

That was putting it mildly. The plant is the size of Crabtree Valley Mall. In its various departments, workers swiftly herd live hogs from delivery trucks to holding pens to a



chute that takes them to their death by electric shock; without missing a beat, other workers then hoist the carcasses onto conveyer belts where the heads are lopped off, the hair burned away in furnaces, the nails clipped, and the intestines slashed out to be used as chitlins or hot dogs; down the line, the remaining meat is cut, cut, cut, and cut again into hams, loins, chops and ribs, then packaged under a wide variety of brand names to be shipped all over the East Coast and to Europe and Asia.

Two shifts a day, about 2,500 workers in each, working on a maze of assembly lines that herd, pull, split, slice, de-bone, de-fat and otherwise dismember hogs at a rate of up to 32,000 a day, 2,000 an hour, 33 a minute, or one hog every two seconds. Is that too fast?

The union says yes, with the result that workers are subject to high rates of injury, including cuts from going too fast with their knives (or getting hit by the next guy's flying knife) and a plethora of repetitive motion injuries. A report issued in October by Research Associates of America, a union-affiliated nonprofit, and based both on Smithfield's reports to OSHA (the Occupational Safety and Health Administration) and interviews with workers, documented a spike in injuries from 2003 to the first half of 2006; last year, workers reported an average of three injuries a day in the Tar Heel plant, a rate two-and-a-half times that of 2003, the group said, and higher than at comparable Smithfield operations in the Midwest that are unionized.

Pittman doesn't dispute the data. He says, however, that "reportable" injuries are not necessarily serious, and that the Tar Heel plant's lost workdays due to injury are actually down in recent years and below the industry's average. "It's hard work, it's cold, it's smelly, but that's the meat business," he commented in an earlier conversation.

Line speed has been an issue in the plant for years, with the union citing several well-documented cases of serious injury (and in one case, a death that occurred when an ill-trained worker climbed into a tank to clean it and was killed by toxic fumes; Smithfield was fined \$4,323 by OSHA). The company's response is that the work is potentially dangerous, but workers aren't injured if they wear the proper equipment and follow the safety rules.

A single one-hour tour isn't going to settle that question in anyone's mind. Work at the Tar Heel plant isn't frenzied exactly, but it is quick and it's relentless, with the obvious problem that boring repetition could cause carelessness, and with so many knives at work, carelessness could be extremely costly.

Another thing that was obvious: The workforce, with few exceptions, is young and physically fit. The exceptions tend to be wearing white hardhats, marking them as supervisors. According to Pittman, more than half the 5,200 workers have worked for two years or less; the turnover rate, he said, was 37 percent last year.

In short, this is not a job for people who can't keep up or who can find some other way to



make the typical \$9-11 an hour. (Workfloor wages range from \$7.50 to more than \$13 an hour.) Just around town, in a single day, we met two young women who worked at the Tar Heel plant for a couple of weeks, then quit. The union can point you to many others who, when they flagged, didn't make it through the 90-day probationary hiring period or, if they did, were fired when their health went bad. Pittman said the Tar Heel plant's turnover rate is down from 50 percent and worse in past years, and he said 60-70 percent turnover is typical in meat industry facilities. Smithfield wants Tar Heel to be even lower, he said. "We don't like losing good people."

On the other hand, an older workforce with a higher number of experienced people might not put up with the pace that the Tar Heel plant demands. Ronnie Simmons has worked at Smithfield for 10 years and makes \$10.75 an hour. She'd like better pay, but for her, the main issues are dangerous conditions and managers who push furiously for faster results. "It's about our rights," she says. "It's time they learned how to talk to the employees."

As for Keith Ludlum, a Smithfield worker who's probably the UFCW's best-known backer, the question of whether Smithfield should be able to demand anything from its workers without consulting them is at the heart of the union issue. Ludlum was fired for union-organizing activities in 1993. He got his job back 12 years later after winning a lawsuit, at which point he gave up a better-paying job to rejoin the fray. Workers should have an equal voice in how the plant's run, he says, not just for safety's sake, but so it's a place people want to stay for more than a year or two.

"They value the hog more than the people," Ludlum says. "Smithfield's mindset is, you take what we give you. I think it's time they admit you can't manage this company properly without the workers' input."

During our visit to the plant, and at a hearing in Bladen County a week earlier on the environmental-permit issue, about a dozen workers we interviewed about conditions at Tar Heel split evenly between union supporters critical of the working conditions and company supporters who typically shrugged and said, as Janice Smith put it, "I've always been able to go to management with my problems." Smith was in the clinic getting a sore thumb treated. She's worked on the cutting lines for most of her 13 years at the plant and agrees it can be "demanding." But she says workers and crew leaders shift around to relieve boredom and fill in for absentees. "You might be short-handed and have to pull a little harder for a time," she says. "But we learn to adjust."

Ludlum's point, though, and the union's, is that most Tar Heel workers don't know anything but the Tar Heel way, and have no idea how much better a unionized plant could be.

The union: In it to stay

Up the road from Lumberton, in the relatively better-off town of Red Springs, the UFCW has divided a small bungalow on the main drag into its campaign headquarters and a



local Workers Center. They are two halves of the same idea: Do not repeat the mistake of the '94 and '97 campaigns; do convince workers, and the community at large, that the union is here to stay.

That was the heart of Mac Legerton's criticism, and it's what Eduardo Peña, the UFCW's chief organizer here, says without being asked-in the prior campaigns, the union parachuted 70-100 organizers into town for 90 days, ripped Smithfield, made its promises, and tried to win the vote without establishing a basis for trust. That made it easy for the company, which had established a basis for the workers to fear what would happen if the union won-or, worse, if they backed it and it lost.

This time around, Peña says, "we aren't pushing anything. But when an issue arises, we offer to help, and invite the workers to come to us. And they do it because we have built trust, and they know we're going to be here for them" whether the union's recognized by Smithfield or not.

Indeed, Peña and Emma Herrera, who runs the Workers Center, have been in Red Springs for almost four years, with a cadre of just a dozen organizers, many of them local hires. Their basic approach is to call on workers at home, have "a conversation over coffee or a tortilla," and try to paint a picture of how the Tar Heel plant could be better and safer. Then, if they're willing, the workers are asked to sign pro-union cards.

But Peña says he has no intention of turning in the cards and triggering an election, even if a majority of the workers have signed on. Not after what the company's done in past elections. (He won't say how many workers have signed, but with the high turnover, it's a moving target anyway.) Rather, his goal is to "empower workers" and educate them about their rights, in turn causing Smithfield to prefer an organized workforce to a disgruntled one.

While the issues of safety and respect continue to be paramount, Peña says, especially with African-American workers, the No. 1 issue at Tar Heel today is "justice" for the immigrant workforce, most of whom are from Mexico and Honduras.

That's because, for the past six months, they've felt under siege by the federal Immigration and Customs Enforcement unit (ICE), which has been checking up on their "status." The company and the union have traded charges over why ICE, an arm of the Department of Homeland Security, showed up in January and arrested 21 workers, who've since been deported. The union says ICE somehow targeted its supporters. The company denies that, though it is participating in a new ICE program. But long story short, after the raid, another 500 Hispanic workers quit rather than face a simple Society Security card-check that would expose their illegal work status. And if ICE starts checking against other available documents, like income-tax filings, more of the workers may be hit.

(Neither the company nor the union knows how many workers are illegal. The company



says it's not allowed to ask. The union says asking isn't its job.)

Pittman says Smithfield lost some of its best workers and was the loser because of the raids. Peña says the union lost some of its most outspoken backers and lots of card-signers.

"It was a big hit, no doubt about it," Peña says. "But the upside is, the workers who remain are less fearful and realize that the company's promises to protect them from immigration were groundless."

Two Smithfield workers—a couple—came by during the interview and spoke in Spanish to Emily Herrera. Their problem, Herrera said, wasn't anything to do with Smithfield. Rather, they thought they'd been ripped off by a local tax-preparation service, which charged them \$200 for a filing that was done wrong. But while they were there, Herrera noticed the man's hands were swollen. He'd had to work faster today, he told her, because five of the eight workers on his cutting line didn't show up for the morning shift.

The Hispanic workers are too nice for their own good, Herrera says, and are easily exploited by Smithfield's supervisors. "Our culture is to be nice," she explains. "So I tell them, yes, you can go faster today, and keep it up for a year, or two years. But can you keep it up for 10 years? And if you can't, where will you be then—where will your job be?"

Peña says the UFCW's new campaign is costing "millions of dollars" that it will never get back in the form of dues from Tar Heel workers, especially since North Carolina's a right-to-work state where, even if the union wins recognition, individual workers can still choose to pay dues or not. "We could end up representing 5,200 workers, and have only 2,000 dues-paying members," Peña says.

But what the union will have, he says, is a model for organizing all the other non-union plants in the meatpacking industry. The model will be to show up, take the side of the workers, and wait for the company to realize that it'd be better off working with a union than against one.