

# WE ARE NOT DISPOSABLE

FOOD WORKERS ORGANIZING ON THE COVID FRONTLINES



**FOOD CHAIN  
WORKERS ALLIANCE**  
[www.foodchainworkers.org](http://www.foodchainworkers.org)

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# INTRODUCTION

The COVID-19 crisis has created unprecedented visibility for food workers, highlighting the critical role they play in sustaining our communities, and earning them the new designation of “essential.” In the past year, food workers have been severely impacted by the pandemic, the economic crisis, and the failure of employers and government agencies to protect them. This is disproportionately true for food workers from Black, Indigenous, People Of Color (BIPOC) communities, and these impacts are rooted in and exacerbated by the pre-existing conditions of a profit-driven, corporate-consolidated, racist and exploitative food and labor system.

Despite these challenges, food workers continue to organize. They are organizing both to protect their lives and livelihoods right now, and to build worker power in the food system for the long term by creating strong worker organizations, from unions to worker centers.

This report highlights the ways that workers in the food economy are treated as disposable and how these conditions have been exacerbated by the COVID-19 pandemic. It outlines key impacts of COVID for food workers and includes worker voices from across the food chain.

This report also lifts up the critical organizing work of food workers and their communities in response to the crisis, with particular focus on work happening within the Food Chain Workers Alliance membership. These food worker-led fights and wins illustrate the importance of supporting worker organizing and expanding the right to organize.

***“Forming and growing the power of food worker unions is a literal survival fight for workers of color.” - @brandworkers***

## WHO WE ARE

The **FOOD CHAIN WORKERS ALLIANCE (FCWA)** is a coalition of worker-based organizations whose members plant, harvest, process, pack, transport, prepare, serve, and sell food, organizing to raise wages, improve working conditions, and build power for all workers across the food supply chain. FCWA was formed in 2009 by a group of food worker organizations from different sectors with the goal of building solidarity and collective organizing across the supply chain. Today there are 33 worker-based organizations in the Alliance, including worker centers and unions, located throughout the U.S., with 2 member organizations in Canada. Collectively our members represent 375,000 frontline food workers total.

*“Around the globe, hundreds of millions of food workers make it possible for the world to eat. Almost all the food we eat passes through the hands of workers who plant, harvest, process, transport, prepare, sell, and serve it. In the U.S. alone there are more than 21.5 million food workers, making the food industry the largest employer. The food industry is also the most exploitative.”*

*We are food workers in the food system, employed on farms, in factories, warehouses, trucks, supermarkets, restaurants, cafeterias, sell food on the streets and much more. We are organizing locally and globally to improve our working conditions and to have a say in our workplaces and in our communities. We are inspired by the worker movements of the past and the rising worker movements of today taking place in many industries. They show us that worker-based organizing can build the power we need today and the power we need for the long-term struggle for economic and social justice for all workers.”*

Food Workers Organizing Platform 2019

## METHODOLOGY

In writing this report we have tried to uplift the specific experiences of food workers organizing with our member organizations, including farmworkers, processing, warehouse, retail and restaurant workers, and street vendors. From March 2020 until early February 2021, FCWA staff collected stories and data from the staff of our member organizations, reviewed research produced by members and allies, reviewed national and local news media, and conducted our own interviews with frontline food workers from within our members’ networks. In total, FCWA conducted 10 interviews with frontline food workers in the sectors of warehouse, retail, service, and street vending, from five different regions of the United States. Interviews were unstructured and conducted by phone, focusing on workers’ experiences during the pandemic, and for some, their experiences participating in workplace organizing campaigns during the pandemic.



# IMPACTS OF COVID ON FOOD WORKERS

## Employers and OSHA Have Failed to Protect Workers

The biggest crisis food workers faced in 2020 was the failure of employers and governments to provide adequate workplace protections. Millions of food workers have been deemed essential and have no option but to work, but despite mounting evidence that the workplace is a significant source of COVID infection, federal OSHA refused to adopt any mandatory requirements for workplace safety protections and has dismally failed in its enforcement role.

In fact, federal OSHA issued just [295 total citations](#) for coronavirus violations in 2020, with \$3,849,222 in total proposed penalties. Out of those 295 citations, only 10 were for food companies, with proposed penalties totaling \$95,486. Companies cited include some of the largest in our food system, like JBS, Smithfield, and Unilever — whose combined revenues for 2019 exceed \$123 billion. A few thousand dollars in fines is not accountability.

The result of OSHA's and employers' failures has been predictable yet tragic. Food workers have faced preventable illness and death on a heartbreaking scale. One [recent study](#) found that food workers in California faced a higher risk of COVID-19 death than any occupation, experiencing a **39% increase in deaths**, compared to a 22% increase across all working adults. When broken down by race, Latinx workers in California experienced a 36% increase in deaths and Black workers faced a 28% increase, whereas white workers only saw a 6% increase.

## FARMWORKERS

"When COVID-19 started, my employer only gave us masks. At no time did he give us any training or post any information on how to take care of ourselves during COVID-19. We want it to be law to protect all of us essential workers with our families. Our lives are very important as human beings."

- Magaly, dairy worker in St. Lawrence County, New York



Photo: Worker Center of Central New York

At least 387 farms and production facilities in the US have had confirmed cases of COVID-19 as of February 23, 2021, according to the [Food and Environment Reporting Network \(FERN\)](#). In those workplaces, at least 12,857 farmworkers have tested positive, and at least 43 farmworkers have died. A Politico analysis including research from the [California Institute for Rural Studies \(CIRS\)](#) found that across the country, [regions with high rates of agricultural work face higher rates of COVID-19](#)—in some cases as much as 5 times higher. And though the CDC issued [voluntary health & safety guidance](#) for farms in June 2020, there is no mechanism to compel farm employers to follow these suggestions.

Several FCWA members have conducted farmworker surveys since the pandemic began, and preliminary results in New York; Massachusetts; New Jersey; Pennsylvania; and Ontario, Canada found that farm employers are not universally complying with CDC or state or provincial guidance. In one survey carried out by [El Comité de Apoyo a Los Trabajadores Agrícolas \(CATA\)](#) with farmworkers in New Jersey, only 57% of respondents said their employer made changes so they could work at a safe distance from others. A CIRS study in California found that only [54% of farmworker respondents reported that their employer provided masks and face coverings](#), and 30% said their employer could be doing more to comply with COVID safety guidelines. In Ontario, only 19% of migrant farmworkers



surveyed by **Justicia for Migrant Workers** reported that they are always able to keep 6 feet away from other workers at work, and only 14% said they could maintain this distance at all times, including when cooking and sleeping. The majority (52%) had received no training from their employers on dealing with COVID risks.

Top concerns revealed by FCWA member surveys:

- Employers are not providing sanitizers, masks or gloves in their workplaces, or regularly disinfecting workplaces
- Workers cannot socially distance at their workplaces, nor in lunch rooms or living quarters
- Workers are not able to take breaks
- No premium pay to compensate workers for the extra risks they are taking

“COVID-19 affected our whole family, my husband almost lost his job because of this disease...Thanks to organizations who supported us, we received help and he’s still working, but even so we’re afraid that we could become infected again...I would tell the Governor to sign a law so that employers have the necessary equipment at work -- because my husband, where he works, they don’t have the necessary equipment or anything, my husband brings his own mask, brings his own disinfectant -- so that they are protected, so that other families aren’t affected the way we were.”

- **Blanca, spouse of vineyard worker, Long Island, New York**

In the U.S. and Canada, many farmworkers must live in employer-provided housing, either because they are guest workers working under a temporary visa program, or because employers make it a requirement of the job. Housing shortages and low wages also contribute to farmworker families sharing close living spaces with extended family members. Our members have been fighting against crowded and unsanitary housing for years, so worker leaders immediately sounded the call to address housing conditions as an urgent safety measure when the pandemic began.

**Justicia for Migrant Workers** is a collective organizing with migrant farmworkers in Ontario, Canada, and they have documented over 2,100 infections in farm communities in Ontario alone as of November. In the spring of 2020, migrant workers arriving for the season told them that employers had done little to fix poor housing conditions for the pandemic. Workers described crowded and dirty bunkhouses with no ventilation, and bathrooms shared by too many workers. Those who were

required to quarantine for 14 days upon arrival in the country were not being provided with adequate food or supplies. Workers also reported that as infections rose, those who tested positive were living in the same housing and using the same kitchen, utensils, and bathroom as other workers.

In Washington State, FCWA members **Community 2 Community** and **Familias Unidas por la Justicia** also quickly began sounding the call for emergency protections for farmworkers in their workplaces and housing -- especially for H-2A workers in labor camps where social distancing was impossible. H-2A workers come to work on temporary visas and their immigration status is tied to one employer. Workers are often isolated in rural farming locations with little access to support, making it much more challenging to speak out about exploitation. Furthermore, workers in the H-2A temporary foreign agricultural worker program have often paid significant sums to recruiters to obtain jobs, visas, and transportation.

But in Canada and the U.S., powerful growers’ associations have fought back against measures to limit the number of workers in bunkhouses or prohibit bunk beds. They argue it would cost too much or limit their ability to hire guest workers, for whom they are required to provide housing. Several U.S. states have issued guidelines on farmworker housing, but few have made mandatory requirements or gone far enough to mandate the social distancing that is required to truly protect farmworkers.



## MEATPACKING & PROCESSING WORKERS

The meatpacking and food processing sector has been one of the hardest hit during the pandemic. According to [data collected by FERN](#), as of February 23, 2021, at least 1,393 meatpacking and food processing plants in the U.S. (570 meatpacking and 823 food processing) have had confirmed cases of COVID-19. At least 57,453 meatpacking workers and 17,161 food processing workers have tested positive for COVID-19, and at least 284 meatpacking workers and 48 food processing workers have died.

**“Sending meatpacking workers back to work without protections and mandatory standards is sending workers to die or to get sick.”**

**- Axel Fuentes, Director of the Rural Community Workers Alliance**

Pre-existing problems for meatpacking and processing workers like dangerous line speeds, cramped workspaces, and poor ventilation have led to the high risk of infection in these plants. But despite early outbreaks in the industry, employers declined to adopt meaningful protections against the virus. In Missouri, FCWA member **Rural Community Workers Alliance** reported that pork processing workers were working shoulder-to-shoulder without adequate PPE, and that because of the incredibly fast line speeds, couldn't stop to sanitize their hands or even cover their mouths to cough. FCWA member **Venceremos** is working to ensure the dignity of poultry workers in Arkansas, where many of their members face similar conditions: fast line speeds, the inability to socially distance at work or in break areas, and punitive attendance policies that force workers to continue working despite the risks.

**“I've been organizing with poultry workers for over five years and they have always faced horrible working conditions; however, during the pandemic the situation has worsened drastically. The lack of care and the lack of interest in providing workers with the most basic protections by the companies is shocking. Organizing poultry workers has always been challenging, but with this pandemic it's been about fighting or dying. There is no other option.”**

**- Magaly Licolli, Director of Venceremos**

In August 2020, [Oxfam conducted interviews](#) with poultry processing workers in several different regions, including with FCWA member **CATA**. Workers surveyed re-

ported that the health and safety measures implemented in processing plants were inadequate across the board:

- Temperature checks are insufficient to assess COVID-19 infection, and some plants either ignore high temperature readings or offer workers ways to lower them
- Plexiglass or plastic guards between workers don't do enough to mitigate the risks of working indoors in close proximity for hours
- Social distancing is impossible in the current setup of most plants

[Other countries](#) eventually took action to protect meatpacking workers, but in the U.S. federal OSHA [refused to adopt any mandatory requirements](#). Of the mere 12 citations OSHA has issued food companies since the onset of the pandemic, it is notable that 9 of them (75%) went to meat processing companies JBS, Smithfield, Tyson, Butterball, and Quality Sausage. All of those citations were for failing to protect workers and/or failing to report deaths, with fines from \$1,928 - \$15,615. A few thousand dollars in fines is negligible at best when compared to other OSHA citations, and in light of how much money most of these corporations make. JBS, for example, is the largest meatpacker in the world and made [\\$51.7 billion](#) in revenue in 2019.

In July, three meatpacking workers at Maid-Rite Specialty Foods filed a lawsuit against OSHA for contradicting its own guidance on social distancing when it inspected a Pennsylvania plant and failed to issue a citation. Employees in the plant reported working shoulder-to-shoulder in contravention of OSHA guidelines. At a [hearing](#), OSHA representatives said their default practice is not to inspect any workplaces other than medical facilities. An OSHA Director for the region went on to admit that the absence of distancing or even masks would not on their own be considered an actionable, imminent danger. Advocates have called on OSHA to move quickly to require employers to make changes to protect workers, and to penalize employers who put workers at risk with strong enforcement measures and fines. On April 28, 2020, the Trump Administration announced it would invoke the Defense Production Act to compel meatpacking companies to stay open during the pandemic in spite of any state or local oversight efforts that might force them to close. [ProPublica has documented](#) the degree to which this Executive Order was drafted word-for-word by industry lobby groups, without input from any worker group, and issued by the administration within one week. By early June, meatpacking plants were mostly back to capacity, and the Executive Order has had a chilling impact on local health departments who have tried to intervene to shut down unsafe plants.

At the same time the Trump Administration was preventing local and state governments from shutting down meat facilities, the USDA was issuing waivers to increase maximum line speeds in poultry plants.

The meat processing industry consistently pushes for increased line speeds, which subsequently increase the risk of injury and during a pandemic, the risk of infection. In April 2020, the USDA approved 15 new regulatory waivers to allow poultry plants to increase their maximum line speed. The National Employment Law Project (NELP) found that [all plants who received the waivers](#) had a record of severe injuries, OSHA citations, and/or had experienced recent COVID-19 outbreaks. In the fall, the USDA took it even further, submitting a proposal to permanently raise the maximum line speed in poultry plants by 25%. Under the Biden administration, this proposal has now been withdrawn.

In November 2020, many were shocked to learn that management at a Tyson plant in Iowa had organized a betting pool on how many workers would get sick. [Venceremos co-founder Magaly Licolli told Democracy Now:](#) “When I informed the workers about this lawsuit here, they were not shocked at all... There is a lot of racism, discrimination. A lot of these workers are immigrants, refugees, Black, Asian, and often so vulnerable that really these companies are treating them like animals. They are treating them as disposable. And this example of the betting pool is just really an example or the sum up of how these workers are going through every day.”





## WAREHOUSE WORKERS

"I wasn't sure what to do...every day is like a red flag, and if anyone at work has it, I'm risking bringing it home."

- Ryan, Mars Candy warehouse worker in Joliet, Illinois

Mars is the largest candy manufacturer in the world. In the spring of 2020 we spoke to Mark, a temp worker in the Mars Candy warehouse in Joliet, Illinois and member of **Warehouse Workers for Justice** (WWJ). At that time, Mark reported that the only new protections provided by his employer were coat racks wrapped in saran wrap to separate him from other workers stationed on the line less than 6 feet away. Ryan, a forklift driver at the same warehouse, told us that at the beginning of the pandemic he wondered: "I'm sure they have the money [to shut down] and everything, why are they putting us at risk?" Since that spring, due to worker organizing supported by **Warehouse Workers for Justice**, the Mars warehouse in Joliet has taken some precautions: breakroom tables were pushed 4.5 feet apart; pre-shift meetings were moved out of the breakroom to allow for social distancing (but a worker tells us the new meeting spot is a busy, noisy part of the warehouse, forcing everyone to cram together in order to hear); and temperature screenings for everyone in the building (workers claim these can be easily bypassed with a fever reducer).

"Employees are supposed to come first. After what I saw, you're telling me my safety isn't important and your profit is."

- Mark, Mars Candy warehouse worker in Joliet, Illinois

And although Mars now appears to be providing more PPE to workers than they were at the beginning of the pandemic, some workers still feel that the company is not doing enough. Ryan lives with two immunocompromised family members, and in November 2020 he told us: "I got a face mask and my wife and I took the initiative to buy facial shields. They gave me flak about that, [saying] "It looks stupid, that's uncalled for." When asked what more his employer should be doing, Ryan said: "If they're concerned about us, they should have testing right then and there."

In December 2020, WWJ and partners [interviewed 90 workers](#) in food production, distribution, and logistics in the Chicago area. Their interviews documented the widespread impact on food warehouse and food manufacturing workers in the region:

- 65% of food workers interviewed had gotten sick from COVID or knew of someone in their workplace who had
- 11% knew of a coworker who had died from the virus
- 49% reported no new training or information from their employer on how to work safely during the pandemic
- 40% are not being screened every day at work for symptoms
- A combined 49% of workers interviewed said that their workplace was not properly sanitized or they did not know if it was
- Only about half of the workers who reported knowing a coworker had gotten sick with COVID said their employers had asked other workers in the facility to quarantine

As the online grocery market booms, the food and beverage industry's share of U.S. warehouse space is quickly growing as well. Amazon is already a major player in the warehouse sector, but now they are vying with Walmart for the top spot in online grocery sales, and stand to gain even more ground. Amazon also has one of the [worst safety records](#) in an already dangerous sector: the 2018 and 2019 injury rate for Amazon warehouses in the U.S. was 18 recorded injuries per 100 workers — nearly 4 times higher than the industry standard of 4.8 injuries per 100 workers.

During the pandemic, Amazon has consistently claimed that warehouses pose no greater risk of infection than anywhere else. But in June 2020 an [internal corporate memo leaked](#) revealing that in at least one facility, known as MSP1 in Shakopee, MN, the 1.7% infection rate among workers was nearly five times higher than the rate in surrounding counties and 17 times higher than the 0.1% rate in the county where that warehouse is located.

In the first six weeks of "lockdown" Amazon was one of the least likely employers to require or provide masks in the workplace, with only 8% of workers surveyed reporting a mask provision on April 1. It wasn't until six weeks later in late May that they improved, at which point 87% of Amazon employees surveyed by [The Shift Project](#) reported a mask requirement. But across the warehouse industry as a whole, only 68% of survey respondents reported mask requirements at work, falling below the fast food, restaurant, and retail sectors.

In Southern California's Inland Empire, the logistics industry has exploded in the past decade, adding millions of square feet in new distribution facilities, including 14 owned by Amazon. FCWA member **Warehouse Worker Resource Center** (WWRC) is a resource for many Amazon workers in this region, and they partnered with Inland Empire Amazonians United to help workers track cases in the area themselves due to a lack of transparency from management. WWRC's members working at Amazon report that safety measures inside warehouses are limited to disinfectant wipe stations throughout the building, which sometimes

run empty. And though Amazon claims to have implemented social distancing, workers report there are many areas of a warehouse that make social distancing impossible.

## RETAIL WORKERS

“When the pandemic started, our store asked us to wear masks. I went to many different stores and I couldn’t find any. I wasn’t able to work. I went to a Rite Aid on the rich side of the city where I saw masks, hand sanitizer and all. I got one of each. I wish I was able to afford at least two, which was the maximum amount you could buy. That was the scariest thing I ever went through...I blame my store. They didn’t provide PPE, they were not taking things seriously. After a few of us actually got sick they started to be more serious about COVID.

**- Maria, Food4Less worker in Los Angeles, California**

An [October 2020 study in the Journal of Occupational Health and Medicine](#) found that 20% of grocery workers in one Massachusetts grocery store tested positive for COVID-19—a significantly higher rate than in communities surrounding the store. On top of that, two-thirds of the workers who tested positive had no symptoms, demonstrating the high risk of infection in grocery stores, particularly for workers.

In Southern California, FCWA member [United Food and Commercial Workers Local 770](#) reported that as of December 15, 2020 more than 2,000 of their 20,000 Southern California grocery members have contracted the virus, and 4 have died. A Service Deli Manager at a Kroger-owned grocery store in Southern California told us in April 2020 that no PPE had been provided to staff at her location, only hand sanitizer and a flyer posted by management stating that masks and gloves were unnecessary. At the time, she was buying gloves herself to provide to her team. But even with gloves, she said, “I feel like we should all be tested.”

In May, FCWA member [United for Respect](#) conducted a [nationwide survey](#) of more than 1,500 associates at Walmart, one of the largest food retailers in the country. Though the company announced social distancing policies, UFR’s report showed that out of the workers surveyed:

- 9% were always able to maintain at least 6 feet of distance while at work during the month of April. 22% said they could mostly maintain 6 feet of distance.
- 2 in 5 associates trusted Walmart to keep employees and customers safe during the pandemic.



Photo: Elizabeth Wallie

- Walmart also scored the lowest in percentage of grocery store workers who reported new cleaning procedures at their store (64%) and in percentage of workers reporting access to (8%) and requirements to wear (3%) masks.

## RESTAURANT WORKERS

“My main concerns are how safe is it actually, despite these improvements? Is it enough? And there’s no hazard pay. So is minimum wage worth the risk?”

**- Lux, Caribou Coffee worker in Minneapolis, Minnesota**

The food service industry is by itself one of the largest employers in the United States. Since the 2008 recession, the [majority of jobs added](#) in the U.S. have been in services, and most of those were in restaurants and bars, which pay some of the lowest wages in the country.

Before the pandemic, workers in restaurants and bars accounted for 7% of total unemployment. By June 2020, they accounted for 20% total jobs lost, but [only 11% of jobs with employer insurance lost](#). Restaurant workers who still have jobs are risking infection by sharing indoor space with customers each

time they go to work. They are also largely responsible for enforcement of regulations like mask wearing, putting them in the position of advocating for their own safety at the risk of losing tips—most while earning a subminimum wage (43 states have a lower minimum wage for workers who receive tips and the federal minimum wage for tipped workers is \$2.13 per hour). Don't forget about back-of-house workers, who face risk of infection from contact with workers in the front of the house.

In October and November of 2020, [One Fair Wage](#) surveyed 1,675 food service workers across 5 different states and the District of Columbia about working during the pandemic. Among their findings:

- 10% of respondents had personally contracted COVID-19.
- 44% had at least one coworker who had contracted COVID-19.
- 84% are within 6 feet of at least one person not wearing a mask in every shift.
- 33% are within 6 feet of 30 or more maskless individuals every shift.
- 69% said their employer is not consistently following all COVID safety protocols.
- 78% have experienced or witnessed hostile behavior from customers about enforcing safety protocols (59% report experiencing such hostility at least weekly).
- 67% have received a smaller tip than usual after enforcing protocols.

Tipped restaurant workers do not receive a full minimum wage, making them vulnerable and dependent on tips in the best of times, and they are in a terrible position to serve as the public health marshals they are expected to be today.

## Impact: Excluded from Income Support

"I had to stop selling for three months because people didn't go outside...Since COVID started, I've been very afraid and concerned but I went back to selling again because we could not stop...I am a mother of 4 children. I still have concerns about income and expenses, and even more so today because we need to turn on the heater...right now we are paying our expenses, but...we are not able to pay everything in one payment."

- Ana, street vendor in Chicago



"I make about \$1,000 a month with sales. Not enough to pay the rent, definitely not enough to catch up with previous payments. The city hasn't helped, the government hasn't helped. I don't qualify for one cent from the stimulus packages. I'm undocumented, we don't qualify for anything. There's an eviction moratorium that lasts until March 2021. I'm scared that when it is gone we will get kicked out, and I can't even get another apartment. Where would I go? I don't have job security as sales vary day to day. What will help is rent forgiveness, as I don't see myself catching up.

- Sonia, street vendor in New York City

In March 2020 Congress passed the CARES Act with \$350 billion in forgivable loans for small businesses, increased unemployment benefits, and stimulus funds for individuals with a valid Social Security number. Undocumented workers were purposefully excluded from this aid. Initially, spouses of undocumented workers who have a Social Security Number were also excluded, but lawmakers changed this retroactively in the December 2020 CARES bill, and those individuals will now receive the \$1,200 CARES fund as a tax credit when they file their 2020 taxes.

In April the House passed the Leave No Taxpayer Behind bill to expand aid to ITIN holders as part of the HEROES Act, which passed the House in May. Then in October, the HEROES Act 2 passed. Neither bill has been taken up in the Senate to date. As a result, millions of workers in the food system have been fully ex-



cluded from federal income relief for the entirety of the pandemic. Despite this deliberate exclusion, millions of undocumented workers have been labeled “essential.” Farmworkers have reported that when the pandemic began they received letters from their employers to document their essential status, in case they were stopped by police or immigration authorities.

“Farmworkers are considered essential, and yet we are left out of government support... immigrant workers are the backbone of our state’s farming industry. Many are undocumented or work with temporary guest worker visas. We have always lived and worked isolated from the rest of society, invisible to most. This leaves our community even more vulnerable now.”

- Farmworker leader Alma Patty Tzalin’s op-ed for the New York Times

In November 2020, we spoke to Marco, a dishwasher at a popular fast-casual restaurant in Los Angeles. He said when it comes to health and safety “it seems like the restaurant is trying.” But because of all the closures, he has lost income and is struggling to pay his rent. At the beginning of the pandemic, the restaurant started a mini market for people to purchase groceries. “As a staff we were able to get 50% off. I thought this was a good deal until I found out a dozen eggs were \$6.99 and 50% was still too expensive. I’m used to buying a dozen for \$1.99 so I couldn’t afford it.”

As an undocumented worker, Marco didn’t receive any federal stimulus payments. And in October he received a letter stating that his employer is doing a voluntary I-9 Audit: “I’m so scared of losing my job. My coworkers left and didn’t come back to work, and won’t be picking up their last check. I can’t afford to leave \$1,000 behind...every two weeks I earn about \$1,058. My wife was picked up by ICE and I had to pay to get her out and ICE put a bracelet on her to make sure she stays home, for her day in court. I’m glad she isn’t in a detention center. But the bracelet was over \$5,000 total. We pawn all of our jewelry to afford for her to stay home. Two months late on rent. Couldn’t apply for [local] assistance as it ran out quickly.”

The exclusion of millions of frontline workers from federal aid could be mitigated at the state level, but those efforts have also left too many workers behind:

- **California** created a \$75M disaster relief program for undocumented working adults and sent one-time payments of \$500 to 155,000 people, accounting for roughly 7% of the estimated 2 million undocumented residents in the state.
- **Oregon** appropriated \$10M to the Oregon Worker Relief Fund, a joint public/private effort to replace up

to 60% of lost wages for Oregon workers disqualified from other assistance due to immigration status. The fund has given \$23 million to more than 13,000 households. Officials say the total need is estimated to be \$124 million.

- **Washington** created a \$40M relief program to distribute \$1,000 grants to individuals by the end of 2020. But with an estimated 229,000 undocumented residents across Washington State, only about 18% of them (40,000) could receive this aid.
- **Vermont** is the only state to guarantee relief payments of \$1,200 to all state residents excluded from the CARES Act stimulus because of their immigration status. The state allotted \$5M in relief funds for an estimated 5,000 undocumented residents. Farmworker group Migrant Justice/Justicia Migrante created the proposal and organized to ensure its passage through the state legislature.

“Despite the risk of being exposed to coronavirus, we keep working just like normal...it’s sad the government hasn’t taken us into consideration. The reality is that if one of us gets sick it will be really hard for us to be so far from our family. We will keep working to be able to give the most and best support to the economy of the state.”

- Marcos Martinez, farmworker leader at the Alianza Agricola in New York



Photo: Street Vendor Project

## Impact: No Access to Sick Leave or Health Care

“We worked through the virus, we wore masks but we still started to get sick. We continued to work with what started as a headache and other symptoms of COVID-19. Three weeks later, with pain and fever, the employer of the company said that all workers had to take tests for the coronavirus. The results came out positive. Then the boss said we couldn’t work, and he sent three of us home to be quarantined. We were afraid to seek more medical support, we had to use home remedies to combat pain and cure ourselves. We were alone, only people who sent food came to drop off the food and left. It is unfair—we have to have better protection because we could have avoided this situation. We are still human beings and we deserve to be protected!”

**- Erika, apple packing worker, Oswego County, New York**

Most people who have access to sick leave stay home from work when they’re sick, substantially reducing the risk of spreading infections in the workplace. But roughly 25% of all workers in the United States (more than 33 million people) don’t have access to sick leave, [according to the Pew Research Center](#). As of 2021, only 13 states and the District of Columbia require employers to provide it.

“In the beginning...several of us had to quarantine and couldn’t work for 2 weeks. No one got paid for that.”

**- Lux, Caribou Coffee worker, Minneapolis, Minnesota**

The people least likely to have access to sick leave are low-income workers in the private sector, including millions of front-line food workers. In a [2020 report by the Shift Project](#), more than half of food retail worker respondents reported no access to sick leave. In the pandemic, most essential workers across the 5 major grocery companies (Walmart, Albertsons, Kroger, WholeFoods/Amazon, Costco) did get [some access to paid sick leave](#), but to be eligible most had to prove they were required to quarantine by a government agency, doctor, or their employer; or provide documentation of a positive test. For these workers, precautions like staying home after a possible exposure, or taking time off to care for a loved one, aren’t an option.



Photo: Burgerville Workers Union

“I work for a food business which luckily offered me my paid sick time. If my employer hadn’t made that choice, I would not have been able to pay rent when I fell ill with COVID this year as that money made up for me being out for almost the entire month. While I did not need to be hospitalized, it would have been impossible for me to come into work. Paid sick time is essential for us, not only to take care of ourselves, but to not add more stress while we are trying to recover from a deadly virus.”

**- Victor, ROC-The Bay member, Bay Area, California**

In March 2020 the federal Families First Coronavirus Response Act (FFCRA) expanded paid sick leave for all employees of covered employers through the end of the year, so long as they were either mandated to quarantine and/or experiencing COVID-19 symptoms and seeking a medical diagnosis. But because the act exempted all employers with 500 or more employees, it was largely ineffectual, allowing large corporations to continue encouraging potentially sick workers to risk infecting their colleagues and customers. When the bill was signed into law, the Washington Post noted that “[only 12 percent of workers in essential industries work for companies that will be guaranteed coverage by the bill](#).”



In their [January 2021 report](#), **Warehouse Workers for Justice** found that 61% of warehouse workers surveyed said they would not receive pay from their employer if they were sick or forced to quarantine. Another 13% were not sure if they would. 83% of workers who had gotten sick from COVID said that they did not receive paid sick leave from their employer or government assistance. Nearly half of all workers interviewed reported that they do not have health insurance.

The outlook for food workers' healthcare coverage isn't much better. Agriculture is the most uninsured working sector in the country, with over [50% of farmworkers reporting they do not have health insurance](#). Restaurant workers are next, with [27% of cooks and 22% of servers lacking coverage](#). For meatpacking workers the uninsured rate is 15.5%, and for grocery store workers, 12%. Many more workers lost their coverage when they lost their jobs due to the pandemic.

The FFCRA gave states the option to expand Medicaid coverage to all uninsured people in their state—regardless of legal status—for testing and diagnosis purposes, with 100% federal funding. Meaning, everyone should be able to get a free test. But as of February 2021, [12 states have still not opted into this program](#). Notable among those who have not adopted are Texas and Florida, which have some of the highest food worker density rates of anywhere in the country; as well as Alabama, Georgia, Mississippi, and South Carolina, which have some of the highest poverty rates. But even if testing were covered everywhere, [there is no provision in the FFCRA or the CARES act to cover treatment](#) for the uninsured people who actually contract the virus.

“Restaurant workers typically have no access to healthcare from their employers, making the risks they are taking on during the pandemic exponentially higher. The fear of hefty hospital bills has often times cost workers their lives. At the same time, the pandemic has also shown us that healthcare benefits should not be solely tied to employment in the first place.

Additionally, this is why being able to classify COVID-19 under worker comp benefits is also so crucial. Workers who contract COVID at work should not have to bear the burden of massive hospital bills and/or other medical expenses related to the less known longer-term effects of COVID.”

**- Sophia Miyoshi, Lead Organizer,  
Restaurant Opportunities Center - DC**

In Canada, **Justicia for Migrant Workers** has [spoken out](#) about requirements that migrant workers pay upfront for testing before they arrive to work under temporary visas, arguing, “any testing system that is implemented must be based on the needs of workers and not the profit-driven needs of the industry.” Concerns about vaccine access are mounting as well, as FCWA members work to ensure that food workers are among the essential workers who receive first priority.

Preliminary studies have already shown that communities of color are not accessing vaccines at the same rate as white residents. In Illinois, **Warehouse Workers for Justice** and allies launched a petition asking the Illinois Department of Public Health (IDPH) to prioritize essential low-wage and temporary workers, writing, “effective vaccine deployment is undermined by structural impediments in heavily ‘temped-out’ industries where layers of subcontracting allow employers to easily shirk responsibility and pass off liability. Of the 650,000 workers in Illinois’ temporary staffing industry, it’s estimated that 85% of this workforce are people of color, mostly Black and Latino—communities that have been hardest hit by the pandemic. Without deliberate planning, those who already find themselves in a ‘race to the bottom’ will be among the last in line for a vaccine. These workers’ priority access to the vaccine could mean the difference between life and death!”

New York state has yet to include farmworkers among priority groups for the vaccine. Farmworker advocate groups including **Rural and Migrant Ministry, WJCN, WCCNY** and the **Alianza Agrícola** are urging the state government to include all agricultural and food production workers in the phase 1B rollout of the vaccine and to create a mechanism for direct communication with farmworker-led organizations and farmworker advocacy groups to ensure a well-designed program for reaching agricultural workers. Local advocates are organizing education sessions and creating materials to inform workers about the vaccines and current efforts to make them a priority.



Photo: Justicia for Migrant Workers



## Impact: Disproportionate Impact on Black, Indigenous and Workers of Color

Since the start of the COVID-19 pandemic we have seen an unjust and disproportionate impact on Black and Latinx workers and non-white communities overall. First and foremost, these communities have endured [higher rates of infection and death](#). This is a direct result of structural racism, from inadequate healthcare, to inadequate housing, to the marginalization of BIPOC workers in low-paying and exploitative jobs with few options to “work from home.”

In July 2020, FCWA, our member the [Rural Community Workers Alliance](#) (RCWA), and several allies [filed an administrative civil rights complaint](#) with the U.S. Department of Agriculture, alleging that two major meat processing companies engaged in racial discrimination prohibited by the Civil Rights Act through their workplace policies. The complaint alleged that “megacorporations Tyson and JBS adopted policies that rejected critical Center for Disease Control guidance—social distancing on meat processing lines—to stop the spread of COVID-19 at their processing facilities and that the results of their current operating procedures have a discriminatory impact on the predominantly Black and Latino workforce at the companies’ plants.”

“For over a decade RCWA has been listening to thousands of stories from meat processing plant workers about poor working conditions and labor injustices. During COVID-19 once again the meat industry discriminates against their workers, which in most cases are people of color...and are not allowing them to have physical distancing to prevent spreading the virus, while their corporate officers and managers—who are mostly white—can either work from home or safely practice distancing on the job.”

— Axel Fuentes, director of Rural Community Workers Alliance

This complaint was just the tip of the iceberg, and we have seen similar health impacts in farmwork, warehousing, retail, food service, and many essential industries.

In addition to being at greater risk of contracting COVID-19, Black and Latinx essential workers are also the most likely to lose their jobs or be fired for organizing to protect their jobs. [According to a survey by the National Employment Law Project](#), “Black workers were twice as likely as white workers to report that they or someone at work may have been punished or fired for raising concerns about COVID-19 spreading in the



workplace.” Three out of four Black workers (73%) reported having gone to work despite fears of serious health risks. Pandemic unemployment rates for Black and Latinx workers were also significantly higher than for white and Asian workers. [Black and Latina women](#) in particular make up many of the hardest hit groups during the pandemic, often working in jobs that [lack paid sick leave](#) and the ability to work from home. As schools and daycares closed, many were also forced to choose between work and parenting.

## Impact: Retaliation against Employees who Speak Out

Fear of employer retaliation leads many food workers to continue enduring conditions they know are unsafe. A June 2020 [study from the National Employment Law Project](#) found that employer retaliation during the pandemic has been widespread, with one in eight workers surveyed reporting retaliation when they or another worker reported concerns related to COVID-19. [Warehouse Workers for Justice's](#) survey of warehouse workers in the Chicago area found that “85% said that their employer either: didn't respond to workers' complaints, retaliated against those who spoke up with concerns about their employers' handling of COVID-19, or took action that didn't improve the situation.”

In March 2020, workers at Amazon's JFK8 warehouse in Staten Island, NY staged a walk-out to demand hazard pay, more protective gear, and a shut-down to clean the facility after multiple reports of employees testing positive. Worker Christian Smalls organized the action, after which he and some other activist employees were fired almost immediately. Soon after that, [an internal corporate memo detailing Amazon's strategy to fight organizing was leaked](#), calling Christian Smalls "not smart or articulate" and developing a strategy to make him "the face of the entire union/organizing movement." In May, Amazon VP Tim Bray resigned "in dismay" over the firing of employee activists like Smalls, decrying the "climate of fear" such retaliatory actions created. In his [resignation statement](#), Bray cited six examples of workers who were fired after speaking out about conditions in the warehouse (Smalls, three other warehouse workers, and two tech workers), and added that "Amazon treats the humans in the warehouses as fungible units of pick-and-pack potential. Only that's not just Amazon, it's how 21st-century capitalism is done."

In February 2021, the [New York State Attorney General sued Amazon](#) for failing to adequately protect workers from COVID-19 and retaliating against employees who raised concerns. The suit focuses on two NYC facilities, including the JFK8 warehouse in Staten Island where Christian Smalls worked before his firing. The suit calls for a change to Amazon policies, training and safety monitoring, and the return of lost wages and other damages to Mr. Smalls, in addition to offering him his job back.

Amazon workers with [Warehouse Worker Resource Center \(WWRC\)](#) in Southern California's Inland Empire also fear retaliation if they were to speak up about workplace conditions. Amazon is the largest private employer in the region, where 30% of residents live in poverty. Many workers feel powerless and know they are seen as disposable. One WWRC member

was vocal with management about working conditions before the pandemic, speaking up on how to make work more efficient and how workers are mistreated. When she was injured on the job and getting treatment at the AmCare in-house healthcare facility, she overheard management telling others to "keep an eye on her, she's one of them."

While warehouses have remained open all year despite health risks, other workplaces, like restaurants, have been closed and opened again. Many restaurant workers have been pressured to return to jobs they did not feel were safe. In the spring of 2020, [Restaurant Opportunities Center of The Bay Area](#) supported a group of restaurant workers who were asked to return to work less than two weeks into the pandemic. When workers responded that not all of them felt safe, they were told they would be voluntarily resigned. Another group of Bay Area restaurant workers had their hours cut and eventually were taken off the schedule for continuously raising concerns about inadequate safety protocols putting workers at risk. Others felt they were under constant surveillance and were intimidated to leave after they brought up concerns.

For any worker who had access to Unemployment Insurance benefits during workplace closures, there is also a fear that refusing to return to unsafe work could result in being disqualified from UI benefits. [In all state UI law](#), offers of rehire must be for suitable work, and in many states, an unreasonable risk to a worker's health and safety could make a rehire offer unsuitable. Several states did issue Executive Orders or emergency regulations protecting workers from disqualification from UI benefits over COVID concerns. However, this information is not widespread, and the very real fear of total loss of income has pushed many workers to accept unsafe work.

## Impact: Corporate Profits over Workers Lives

"It seemed like frontline workers were finally heroes. I wanted to do my part. I earn \$18 per hour. The hazardous pay should have been something that got implemented early and stayed forever. Or at least until everything went back to normal."

**- Maria, Food4Less worker, Los Angeles, California**

The pandemic is still here but hazard pay has come and gone. As early as March 2020, major food retailers [Walmart](#) and [Amazon](#) released commercials praising frontline workers as heroes, complete with uplifting music and voice overs telling us how much the company is doing to protect workers. In reality, we know these employers treat workers as disposable, and it was only in response to soaring public demand that they briefly



Photo: The Alianza Agrícola

gave in to pressure and initiated bonuses or temporary pay bumps. Here's how the big five grocery retailers did "hazard pay" in 2020:

- **Kroger** offered \$2/hour boost that lasted approximately 2 months, ending in May.
  - Kroger also spent over \$1B on stock buybacks over the summer, prioritizing short-term returns for their shareholders at the expense of low-wage workers.
  - After the city of Long Beach, California passed a hazard pay ordinance in December of 2019, Kroger announced that they would shut down two supermarket locations in the city to avoid having to comply with the ordinance.
- **Costco** offered a \$2/hour boost lasting approximately 3 months, ending June 1.
- **Amazon/Whole Foods** offered a \$2/hour boost and double overtime pay, both of which lasted approximately 2 months, ending in May.
  - On June 29, Amazon announced one-time bonuses for all employees who had worked in the month of June: \$500 for full-time and \$250 for part-time Whole Foods, warehouse, and delivery workers.
- **Walmart** offered four bonuses to hourly workers: \$300 each for full-time workers, and \$150 each for part-time.
- **Albertsons** ended their \$2/hour increase on June 13 and replaced it with a "reward bonus" equal to \$4/hour for average hours worked/week between March 15 and June 13.

The people at the tops of these companies did exceedingly well in 2020 as their profits grew as a direct result of the crisis. As of November 2020, a [Brookings report](#) found that Kroger profits were up nearly 100%, Costco profits were up 11%, Amazon profits were up 53%, Walmart profits were up 45%, and Albertson's profits were up 153%, compared with the year before.

Not all sectors of the food system implemented hazard pay, and some were able to circumvent COVID-19 regulations entirely. Increased pay has also not been a priority for the federal government. The Heroes Act and the Heroes Act 2 passed the house in May and October respectively, and both included hazard pay for essential workers. However the Senate left hazard pay out of their proposal entirely.

## Impact: Burdensome Regulations for Street Vendors, Sidelined in Reopening Plans

Despite its popularity, street vending remains illegal in many parts of the United States. Chicago and Los Angeles only legalized food carts in 2015 and 2018 respectively. But even in New York City where it has long been allowed, there have been

only 2,900 permits available for the estimated 20,000 vendors working across the city since 1983. For 38 years the City Council refused to lift that arbitrary cap, forcing many NYC vendors to pay [tens of thousands of dollars for a permit on the underground market](#). And in 2020, as businesses across the country were told to close, reopen, and close again to stop the spread of COVID-19, street vendors found themselves literally pushed aside to make room for restaurants:

["We've seen tons of restaurants become street vendors overnight...to see 3,000 sidewalk permits given out \[to restaurants\] and to then think there's only been 3,000 total citywide permits for food vendors, for nearly 40 years, is shocking."](#)

**- Carina Kaufman-Gutierrez, Street Vendor Project**

The Los Angeles City Council [banned all street vendors](#) without licenses in March, even as one member admitted only about a dozen of 10,000 food vendors in the city have licenses. Grocery stores, restaurants, and food trucks continued operating. In June, the Mayor's "Al Fresco" initiative launched, inviting restaurants to spread onto parking lots, sidewalks, and streets for outdoor dining. Still, the majority of LA's street and sidewalk vendors, most of whom are women of color, and who have been excluded for all income relief, remained banned for public safety until the fall. There are similar stories from across the country, like Chicago's popular outdoor [Maxwell Street Market being shut down indefinitely](#) while the city simultaneously worked with neighborhood chambers to secure patio permits and close down streets for restaurants to move their operations outside.

Even before the pandemic, vendors faced many obstacles. Ana has been selling tamales, elotes, chicharrones, and aguas frescas on the streets of Chicago for 11 years. But it took her 5 years and some help from the [Street Vendors Association of Chicago](#) (SVAC) to finally obtain her permit in 2020:

["Since 2015 when I began to process \[my vending permit\] until today in 2020 when they granted me the license, they asked for many requirements...I knew that there was an organization \[SVAC\] helping vendors to process their licenses to be able to sell without disturbing the police...Before, they gave me tickets and I had to go to court. Tickets of \\$500, and it is always dangerous to go to court. To this day I thank God and I am working with this organization with a license from the city."](#)

**- Ana, street vendor in Chicago, Illinois**





# WORKERS ORGANIZE

Food workers and FCWA member organizations have been organizing to change conditions in the food industry for decades. During the COVID-19 crisis, members have accelerated their work using a range of strategies. In this section, we highlight organizing stories from across our membership and the food chain.

## Walkouts/Strikes/Direct Action

As governments and employers fail to provide meaningful protections, food workers are taking direct action in the workplace to expose conditions and win important demands. Despite fears of retaliation, we have seen an exciting wave of food workers using collective action to publicize demands for COVID protections, hazard pay, and sick leave.

### Workers Walk Out in Massachusetts

On March 24, 2020, ten workers at a packing house at Red Fire Farm walked off the job due to unsafe conditions. With support from FCWA member **Pioneer Valley Workers Center** (PVWC), four workers decided to publicize their strike and demands on April 5, despite the risk of losing their job or facing retaliation due to their immigration status. The workers experienced significant backlash and decided not to return to their jobs. However, through their strike action workers pressured the employer to make changes on the job for other workers, including providing masks and hand sanitizer, proper social distancing, and access to water for handwashing. This direct action was one of the first publicized strikes taken by food workers during the pandemic.

“We couldn’t keep up with the alleged hygiene measures because of the speed of the work and the increased amount of workers in the packing-house. We worked up to 14 hours a day to finish the big lists—doing CSAs, wholesale, etc....We organized to hold a public strike because we wanted things there to improve for everyone. This is a very important thing that we want everyone to remember. We workers are the base of Red Fire Farm - without us, there is no farm, no food. We wish those who continue to work there the best of luck and ask them to not stop fighting to improve their conditions. We are now pleased that safety protocols for employees and customers have been implemented.”

- **Statement from workers at Red Fire Farm**

### Apple Packing Strike Wave in Washington State

By the spring of 2020, Yakima Valley, Washington had the [highest rate of COVID-19 infection per capita on the West Coast](#) as a result of rampant infections in two places: long-term care facilities and agriculture. Apple packing workers, who are mainly immigrant women standing shoulder-to-shoulder as they work, did not feel employers were taking adequate measures to protect them. So in May they started walking off the job, and leaders from local independent farmworker union **Familias Unidas por la Justicia** and community group **Community to Community Development** went to Yakima to support strikes on-the-ground.

The strike wave began when 50 workers walked off the job at one Allan Brothers plant on May 7, soon to be followed by workers at six other packing sheds in the area. The workers garnered widespread community and labor support and sustained strong strike lines and solidarity. At Allan Brothers, 34 of the 115 workers who walked out on Day 1 stayed out for the full 22 days, [eventually winning written recognition of their workers’ committee and a \\$1 increase in hourly pay](#). Workers at several other packing sheds won similar gains. Now workers in Yakima Valley have formed a new independent union, **Trabajadores Unidos por la Justicia** (TUJ) and continue to organize. These strikes inspired food workers across the country as to what could be possible when workers stood up for their right to safe and dignified workplaces.

### Ontario Greenhouse Workers Go Public and Win Premium Pay

Greenhouse workers at the major Canadian cannabis grower Aphria quickly became frustrated when their employer excluded them from premium pay and gave a \$1/hour increase to non-greenhouse workers only. In Canada, most greenhouse workers are migrant workers employed under the country’s Temporary Foreign Worker Program, making them more vulnerable to exploitation.

With no premium pay and no ability to socially distance in communal work spaces, workers first organized slow-downs and other actions, but Aphria did not make changes. In June when Aphria tweeted their support for Black Lives Matter movement, workers seized the moment to call the company out publicly for denying premium pay and protections to a group of mostly migrant workers, many of whom are Black. With support from **Justicia for Migrant Workers**, Aphria workers issued a public call for supporters to phone, email and tweet the company owners to demand that they meet with workers,

give all workers a retroactive \$1 premium pay increase, and address health and safety violations at Aphria and the companies it does business with. In response, Aphria issued gift cards to cover the retroactive pay increase.

## Caribou Coffee Workers Join Together in Minneapolis

In the spring of 2020, multiple Caribou Coffee workers in the Minneapolis area found each other on social media and started discussing what they realized were company-wide issues: no direct communications from corporate and no assurance of protection or hazard pay, despite the fact that coffeeshops had been deemed essential and were cleared to stay open by the local government.

This group of workers started reaching out to local media and, with some help from their local **Restaurant Opportunities Center** chapter, put together flyers with a list of demands. In April, workers and supporters shut down a drive thru at a busy location for several hours. They demanded a \$15 minimum wage across the company, premium pay for the increased risk, and PPE provisions. Just two days after the drive thru action was announced, but before it actually took place, Caribou responded by announcing a 10% premium pay increase for all workers and said they would provide masks.

A 10% increase for Caribou workers amounts to about \$1 or \$1.50 more per hour, even less than the \$2 that most companies were briefly offering last year. Workers report that premium pay lasted for about a month, and some never received it at all, while others said it showed up on just one paycheck. Even so, Caribou's swift response when workers announced a direct action demonstrates that public scrutiny is one of the surest ways to force employers to act.

In June, the workers showed up to Caribou's corporate offices, where they shut down the store in the lobby with a group of socially-distanced demonstrators. Their current demands are a no mask no service policy, company-wide sick and safe time policy for all employees, and premium pay of \$3 more per hour as long as there is a hazard.





"I feel very strongly that we need more than just the gains we might earn under what basically feels like plague time. Caribou workers deserve to have family leave...we deserve to have higher pay. We deserve to have sick and safe time across the board. There are so many things that we as workers have realized that we deserve and we're not getting...there are things that I do love about my job that have led me to stick around. Thanks to organizing, I think I'm even more motivated to stay involved. I have a lot of faith we can build something better for ourselves."

**- Lux, Caribou worker in Minneapolis, Minnesota**

## Organizing solidarity with apple workers who carried out a wildcat strike

In October, a COVID-19 outbreak struck Martin's Family Fruit Farm in Ontario, Canada. Dozens of migrant farmworkers contracted the virus. Workers engaged in a work refusal until they had confirmation of whether or not they were COVID positive. Rather than respect the health and well-being of the workers, the employer is alleged to have threatened the workers with disbarment from the program if they continued their acts of resistance.

**Justicia for Migrant Workers** organized a bi-national day of action to demand that Martin's Family Fruit Farm commit to no reprisals against its workforce and to implement immediate steps to provide strong health and safety protections and adequate housing accommodations to prevent further outbreaks. Because Martin's Family Fruit Farm Apple Chips are sold at Starbucks stores, Justicia also publicly called on Starbucks to support farmworkers' rights to work in an environment that is free from harassment and that is safe and dignified. Delegation visits took place in over 20 Starbucks stores across Canada, the US and Mexico on November 25.

"These are our lives that we are talking about protecting. We have to stand up for what's right so we can go home to our families healthy."

**- Worker from Martin's Family Fruit Farm**

## Poultry Workers Walk Out

In December, **Venceremos** supported workers at a George's processing plant who decided to [walk off the job](#) when management ended staggered shifts. 30 workers at George's poultry plant took coordinated action by staging a walk-out and demanding the company ensure social distancing and sanitation and institute a wage increase for all workers equally. Workers are continuing to organize for these demands and to ensure there is no retaliation from the company.

"We went on strike because the company didn't care to give us basic protections, and kept exposing us to get sick or die. For weeks we demanded the company to allow us to socially distance by not ending the staggered shift program to reduce the numbers of workers coming in contact with each other. Even though the company reinstated the program after the strike, we know the fight is not over, we will keep fighting until we are treated with dignity."

**- George's poultry worker, Arkansas**

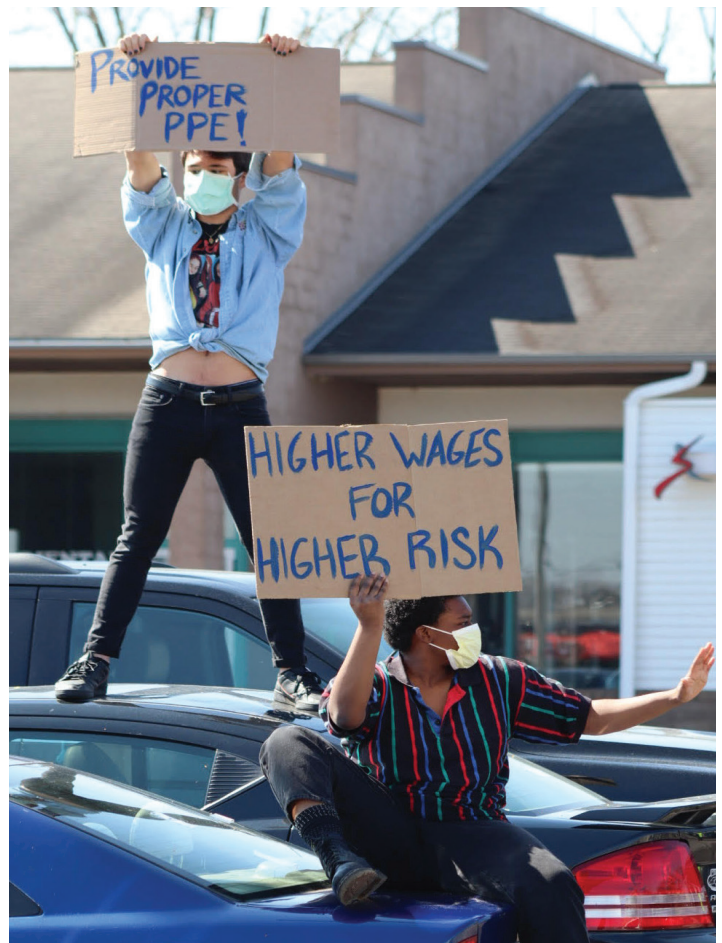


Photo: ROC-Minnesota

# FCWA MEMBER SPOTLIGHT ORGANIZING IN THE SOUTH

The **Mississippi Workers' Center for Human Rights** was established in 1996 to fight for the dignity, human rights and safety of Mississippi's non-union Black and Brown workers. The Center is located in the Mississippi Delta, where 43% of the population resides in abject poverty. Most of our members are forced to work in racially segregated workplaces for the lowest of wages. They cannot shelter in place! During COVID-19, the Center has continued its grassroots advocacy and organizing efforts to address the glaring racial disparities faced by Black and Brown essential workers. We have joined with our members at Greenville Golf Club, who are restaurant workers and servers, who were forced to work in unsafe conditions where customers were not required to wear masks. These workers took their demands for safety in the time of COVID to the City of Greenville officials and got results. Managers were forced to implement mandatory masking requirements and social distancing practices, and provide adequate PPE for all employees.

For its size and population, the state of Mississippi—which has a reported total of 282,813 people who have contracted COVID-19—continues to see dangerous trends. Health care facilities are understaffed and under resourced.

At the invitation of the Mississippi Legislative Black Caucus, our members have testified at the Caucus's hearings and listening sessions to tell their stories about denial of safety and health protections, being forced to work when sick, denial of paid sick leave or hazard pay, and retaliation. These and other issues are now part of the 2021 Mississippi Legislative Black Caucus's Policy Agenda. This means our longstanding issue of getting more workers' compensation benefits for the state's injured workers and lifting the 450 week cap on benefits. We are also demanding permanent unlimited benefits for permanently injured workers. This work is getting more traction. A month before the pandemic, our members testified during a Mississippi Senate Labor Committee to lift up the demand for more workers compensation benefits.

Our member, a school cafeteria worker, is organizing her co-workers and parents to demand that the Greenville School District repair the water system so that there is hot water in bathrooms and kitchen facilities.

Our members stood in support of Captain D's workers who were forced to serve customers in the dining room during the time when all restaurants were only serving at the take-out window or curbside. As a result, the owner was ordered to shut down the dining room and obey the law.



We have organized a "Rights Under COVID" Workers' Circle to hold regular conference calls with food chain workers and other Black essential workers to monitor workplace safety and health concerns. Workers at Uncle Ben's Rice Company/Mars Foods and other Delta-based companies are fighting to end the permatemp system that forces workers to work as temporary workers on unreasonably long-term assignments. We have joined with our members to raise these demands and participated in a listening session hosted by the City of Greenville where we confronted Mars about its policies regarding the use of temporary workers. We are interviewing temporary workers to get their stories.

We are currently organizing workplace/employer accountability actions to force employers to protect workers from preventable exposure to COVID. This involves developing partnerships with elected officials to revise the privilege license system to ensure violating employers are no longer permitted to do business in the affected cities and towns.

Our campaign in support of Black Essential Workers includes organizing safety and health and labor rights training; conducting virtual needs assessments; and safe distance door-to-door canvasses to share "Know Your Rights" materials and to distribute grocery store cards, masks, gloves and hand sanitizer. We also distributed holiday care packages during the Christmas holiday season. Our work with municipal leaders in the Mississippi Delta includes helping our members and other workers access more resources, e.g. food security, PPE, etc. We have, like everyone, been trying to cover all the bases.

We are conducting a COVID Safety & Health training with 40 Greenville, MS city workers. We have produced Cable crawlers and radio spots with health and safety messages. We have organized two hearings and a Webinar featuring Black essential health workers, and porch drops!

Our members have testified during legislative listening sessions and hearings to gain support for more protections, e.g. hazard pay, paid sick leave, a living wage and protection from retaliation for Black and Brown Essential workers.

## Workers Strike at Burgerville for 2-2-2

When COVID hit, the Pacific Northwest fast food chain Burgerville cut hours and laid off workers, leaving remaining workers concerned about their safety. In Portland, the independent **Burgerville Workers Union** immediately began organizing with members to develop demands. The union created a petition calling for “2-2-2”: hazard pay of \$2 an hour for all Burgerville workers, an additional two weeks of sick leave, and two weeks severance pay in the event of lay-offs or closures.

In March, workers at one Burgerville store led a one-day strike to highlight safety issues for the workers still on the job. In July, workers at another store successfully shut down their workplace for a week after a coworker tested positive. Workers demanded and won paid time off during the closure. In addition, Burgerville workers have supported other restaurant workers across the city in the fight for safe and dignified working conditions during the pandemic, including at Crush Bar and Voodoo Doughnuts. Currently, they are working to finalize their first union contract and establish a Stewards Council for worker representatives from each of the five union locations.

“I’m proud of what we did to keep each other and the community safe. I hope they don’t make us do this again...This week we showed the way for how we keep us safe. Workers run businesses and if work isn’t safe, we have the power to shut it down to protect our community. We are safe at work only when we are enforcing our own health precautions. Only we can protect each other.”

- Burgerville worker in Portland, Oregon

## Grocery Workers demand protections

Since the outset of the pandemic, members of the **United Food and Commercial Workers Union Local 770** in Southern California have staged public vigils and demonstrations to call for boosted protections for grocery members. Through their organizing they won a \$2 temporary boost for union members at many groceries across Southern California. After premium pay ended at all grocery stores by mid-summer 2020,





the union has been fighting for its reinstatement. For Labor Day 2020, UFCW International coordinated a national week of action to reinstate hazard pay, with direct actions staged at various Food 4 Less, Kroger, Giant, Fred Meyer, and Safeway locations nationwide. After Kroger shut down 2 of their Long Beach, CA locations to avoid providing a \$4 per hour hazard pay approved by the City of Long Beach, grocery store members of UFCW local 324 and their allies held rallies outside of Kroger-owned markets in protest.

## Demanding safe workplaces for migrant workers

Fed up with a lack of COVID protections and their employer's use of the dangerous chemical limestone, a group of migrant farmworkers at Cervini Farms in Ontario, Canada staged a work stoppage in October. As a result, the employer ended the use of the chemical, but many of the workers who spoke up were not called back for the next season, which workers believe was an act of retaliation. Soon after, the employer began to use the limestone again, so workers contacted **Justicia for Migrant Workers** and decided to go public with their concerns. They published an open letter in February 2021 and within one day, the employer removed the chemical again. Workers are now strategizing how to address other health and safety concerns within the greenhouse.

"Every year we take a risk leaving our loved ones to be on the farm program, being ignorant with no knowledge about what we will sign on contract and our rights...Last year, management started using limestone in the greenhouse, which affected many workers, some of their eyes burning, throat burning, rashes on skin and even chest pain. All complaints were reported to supervisor and management which they did nothing about. On October 24, 2020 we strike cause we couldn't bear the pain anymore, all guys stop working and ask the limestone to be removed which they did. As a result many guys didn't get requested back because they stand up for their rights and health. This year, February 3rd management spread even more limestone in the greenhouse which starting to affect us...it only shows that the employer will use anything harmful thing and don't care how it affecting us. We want the company to STOP using limestone as it is affecting our health. We want the company to listen and make changes in our interest. We demand that no workers are penalized for standing up for their rights. WE WANT RESPECT!"

- Open letter from workers at Cervini Farms

## Putting Pressure on Public Officials

As the depth of the COVID-19 crisis became clear, FCWA worked with members to compile a broad platform of demands for food worker protections. We identified three areas to push for at the federal level, including an OSHA Emergency Temporary Standard, premium pay, and relief for excluded workers. At the same time, our members have organized at a state, regional, and municipal level for critical protections.

**New York:** A coalition of labor and community organizations including the **Alianza Agrícola**, the **Laundry Workers Center**, **Workers Center of Central New York (WCCNY)**, and the **Worker Justice Center of New York (WJCN)** have been campaigning for the state legislature to introduce enforceable worker protections by passing the NY HERO (Health and Essential Rights) Act. The Act would direct the New York State Department of Labor to establish mandatory requirements for testing, face masks, PPE, social distancing, hand hygiene, disinfection, and engineering controls for all New York workers. It would also empower workers to form health and safety committees with representatives from their employers to discuss health and safety plans and ensure that standards are being met, and protect workers from retaliation. The NY HERO Act was introduced in the NY Senate and Assembly in January 2021.



Photo: ALIGN

In the absence of mandatory standards, **WJCN** pushed the NY Department of Health, Department of Labor, and Department of Agriculture & Markets to release guidance documents aimed at addressing the threat COVID-19 presents to farmworkers and their families and to ensure mobile testing units were dispatched to farms in rural counties. But while both of these changes are a step in the right direction, neither is enforceable, which is why our members and other advocates in New York are continuing to push for the HERO Act.

**Florida:** The **Farmworker Association of Florida (FWAF)** has been campaigning for Governor Ron DeSantis to require that employers provide some PPE for all workers, especially farmworkers. They also called out the Governor on more than one occasion when he explicitly blamed the spread of the virus in farmworker communities on cultural practices like holding quinceañeras, while he himself failed to provide adequate public health campaigns promoting healthy practices like wearing face coverings, and encouraged schools and businesses to re-open even as cases were spiking in the state.

**New Jersey:** **CATA, Laundry Workers Center,** and the Protect NJ Workers Coalition successfully pushed New Jersey governor Governor Phil Murphy to sign an Executive Order providing mandatory COVID health and safety standards for workers and enforcement mechanisms. The coalition continues to organize for meaningful protections for the right to refuse.

**Ontario, Canada:** In June 2020, workers anonymously published a video of 12 men crammed into one room in a bunk house, separated only by flimsy pieces of cardboard. At this point, **Justicia for Migrant Workers** turned up pressure on the Ministry of Labour and the public officers of health responsible for inspecting housing in each jurisdiction. They organized multiple solidarity caravans to show support for farmworkers disproportionately impacted by COVID outbreaks and they intervened in the successful legal case to win back a rule requiring only three workers per bunkhouse in one hard-hit region. Justicia is now calling on the Chief Medical Officer to extend that rule across the province and beyond the quarantine period. Justicia also engaged in public pressure to ensure that workers in Leamington, both documented and undocumented, received access to both COVID and non-COVID related healthcare. Justicia has had to pressure officials to support migrant workers stranded in Canada to ensure they can access open work permits, Employment Insurance, and proper supports against workplace abuses.

**Washington:** **Familias Unidas por la Justicia (FUJ)** and **Community to Community Development (C2C)** pushed the Agricultural Seasonal Workers Services Committee for mandatory COVID-19 emergency rules to protect farmworkers, including in farm labor camps. Frustrated with the slow pace and watching farmworkers face outbreaks without protection, FUJ joined with United Farm Workers to file a lawsuit against Washington's Department of Health and Labor & Industries. The state finally acted and instituted emergency protections including social distancing, ventilation and PPE requirements, but refused to ban bunk beds in farmworker housing. Although FUJ filed a **second lawsuit to try and repeal the provisions that allowed bunk beds during the pandemic**, a judge upheld the existing rules.

**LA County:** The **Warehouse Worker Resource Center (WWRC)** and **UFCW Local 770** worked with a broad coalition of community and labor groups to win legislation that enacts worker-led public health councils in LA County. The legislation gives workers the power to form public health councils in a workplace or industry. Through the councils, workers can ensure LA County employers are complying with public health officer orders during the pandemic, and be protected against retaliation. The legislation also allows certified worker organizations to support and train workers who form health councils in four key sectors with the highest rates of COVID infections: warehouse and storage, food processing, garment manufacturing and restaurants. This innovative model is the first in the country and gives workers new tools to organize around health and safety concerns. An accompanying anti-retaliation ordinance was also passed by LA County.

**UFCW Local 770** also worked with officials to win increased access to PPE and crowd control measures in stores, and worked with the state government to win 2 weeks of paid quarantine leave for all food chain workers, covering nearly 3 million workers in the state of California. The local is now advo-



Photo: Familias Unidas por la Justicia



cating for local ordinances requiring \$5 hazard pay for grocery store and pharmacy workers and has succeeded in winning support from members of the Los Angeles City Council.

**Philadelphia:** In June 2020, **ROC-Philadelphia** joined with a broad coalition of labor and community groups to [win the Essential Workers Protection Act in June 2020](#). The Act was the first municipal ordinance to protect workers from retaliation for speaking out about working conditions that violate mandatory state or City COVID public health orders. The bill makes it illegal for employers to retaliate against workers who ask their employer to comply with mandatory standards, or who refuse to work in unsafe conditions.

## Taking on Mega Corporations

COVID-19 has demonstrated the disastrous impacts of the corporate consolidation of the food industry, where giant food corporations exercise enormous power over policy-makers and communities. Food workers are taking on these corporate giants through creative strategies, exposing both their record profits and dismal health and safety records.

### Mars Campaign in Joliet, IL

Mars Wrigley is the largest and most profitable candymaker in the world. When 100+ warehouse workers in Joliet, Illinois demanded safety protections and hazard pay during this pandemic, the corporation and its third party logistics contractors not only denied their requests, but fired several workers for coming together and speaking out. These workers have been systematically denied hazard pay, paid sick leave, and basic safety protections such as socially-distanced work stations, screening, and adequate warehouse sanitation.

Ryan is a forklift driver in the Joliet facility and has been concerned about his family's health all year. After a friend put him in touch with **Warehouse Workers for Justice** (WWJ) he was ready to take action, helping collect employee signatures and personally delivering a petition to the General Manager at his warehouse demanding hazard pay, quarantine pay, proper PPE, and the temporary elimination of the company's point system, which can penalize employees for taking time off.

The response Ryan received from management? "The next day they come up to me telling me they're not going to honor it." After that, the workers were on to the next step: [staging an action](#) outside the plant to call out employer retaliation and unsafe working conditions, as well as a surge of media stories throughout prime candy season in October, as WWJ and other advocates sounded the alarm.

Unfortunately, Mars has not implemented all the changes workers would like to see. "They still have cases ongoing," Ryan said in November 2020. When asked if he felt taking action was worth it, he replied, "I think it was worthwhile to make voices known.



Photo: Warehouse Workers for Justice

People have a voice. I guess the only thing that kills me is I wish more people would step up." Ryan is currently on probation for exceeding the amount of work he can miss—64 hours per year. He received a final warning from management, but says no prior warnings were issued. He doesn't know what he'll do if he has a health scare. "You can't take automatic quarantine, [and] they're so nonchalant and not telling anyone who has it."

But WWJ and workers haven't given up: they are celebrating the fact that the existing worker committee at the facility has been expanded to include new hires, continuing to build a powerful voice for workers. And workers who were fired are still engaged in fighting back against retaliation.

### Mondi Workers New Jersey

Mondi is a British multinational packaging and paper group employing about 26,000 people with approximately 100 production sites in more than 30 countries. In June of 2020, 18 workers at a New Jersey Mondi warehouse were fired after organizing to demand PPE and protections from COVID-19. With support from the **Laundry Workers Center** (LWC), these workers have been [holding a picket line](#) to demand the company negotiate with the fired workers. In a [recent post on facebook](#), LWC noted, "Mondi says they are a global leader contributing to a "better world" with innovative plastic packaging & paper NOT by providing adequate protection to workers." The picket line continues today.

### Amazon Continues Dodging Accountability

Amazon initially offered warehouse workers the option to take unlimited unpaid time off due to COVID-19 concerns. That policy ended May 1. After that, the policy was that any warehouse employee who contracted the virus or had symptoms



could take up to two weeks paid time off, but in at least one case a worker [received that pay only after inquiries from a journalist at BuzzFeed News](#). Since May 1, any other Amazon worker who wants to self-quarantine due to exposure is not eligible for paid leave and must make a special request for unpaid leave to management. Multiple employees in Southern California who had submitted such requests [told the Guardian in May](#) that their requests were pending and they were worried they would soon lose their jobs.

On April 16, 2020, California Governor Gavin Newsom signed an executive order requiring two supplemental weeks of paid leave for food workers who have to isolate due to health concerns, including if they live with someone sick or exposed. That order explicitly included workers in warehouses where food is stored. Amazon ignored the order and falsely claimed to employees requesting leave in the Inland Empire that the California law did not apply to warehouse workers. At that time, [cases were already confirmed in six Amazon warehouses in the area](#). After months of workers and advocates sounding the alarm and four letters from the CA Labor Commissioner, [Amazon finally notified the state that they would comply](#) with the order on June 26.

But Amazon was not quite off the hook in Southern California. In October, Cal/OSHA cited the company for safety failure in response [at two of their major warehouses in the region](#) on the heels of employee complaints compiled by [Warehouse Worker Resource Center](#) (WWRC). The [official citation](#) was for failure to provide effective training to workers on COVID-19 hazards and prevention methods and included a fine of \$1,870. Worker complaints had also called out the failure to broadly inform workers of confirmed cases, but the Cal/OSHA citation was only for failing to train. WWRC and other advocates say Cal/OSHA's actions did not go nearly far enough. WWRC is also pushing for Amazon and developers in the region to commit to a community benefits agreement in San Bernardino County as a mechanism to ensure that Amazon invests back into the community and to examine the quality of jobs they are providing.

## Challenging Smithfield

With support from [Rural Community Workers Alliance](#) (RCWA), pork processing workers have been organizing around long-standing health and safety issues at a Smithfield plant in Milan, Missouri for some time, addressing problems like line speeds and access to bathroom breaks. When COVID hit and Smithfield failed to implement critical protections on the plant floor and instituted a punitive sick leave policy, workers decided to escalate pressure, first by signing and sharing a petition outlining the health and safety issues. When management did not respond, they reported conditions to the local media. Within 24 hours of going public, they won masks for workers.

Workers felt much more was needed, and in April 2020 they worked with RCWA to file a lawsuit against the plant in an effort to force the company to protect workers' health and safety, provide adequate sick leave, and to highlight the need for OSHA to issue enforceable standards to protect workers. RCWA worked with legal advocates Public Justice to file the complaint, arguing Smithfield's actions were also a "public nuisance" and were jeopardizing the health of the wider community. Although the complaint was dismissed in May 2020, workers were able to win improvements at the plant and raised expectations of what could be possible when workers stand up to the meatpacking industry. RCWA Director Axel Fuentes commented, "the brave workers in this case have shined a national spotlight on the reality that employees in the meatpacking industry face every day. Because of their efforts, a national movement for change has begun, and it does not end with today's decision."

## Demanding Tyson Take Action

[Venceremos](#) works with a grassroots base of poultry processing workers to document conditions in Northwest Arkansas plants and organizes to make changes. When COVID-19 cases began to rise in the state, Venceremos supported poultry worker members to formulate demands and action plans. Venceremos launched public petitions against Tyson calling for stronger protections, paid sick leave, and hazard pay; and supported worker leaders to collect signatures on letters demanding urgent protections. Workers and allies presented workers demands to management at a Springdale Tyson plant.



Photo: Venceremos

In July 2020, Venceremos ramped up pressure by organizing with allies across the country to support worker demands, and launching a public campaign calling on Governor Asa Hutchinson to immediately shut down and mandate a deep cleaning of all poultry plants where workers have tested positive for COVID-19. They are also calling on the Governor to mandate that all poultry plants follow the CDC guidelines, slow down line speeds, and restructure workstations to respect social distancing. Workers' organizing has resulted in some changes at Tyson, such as better mask provision and sanitation stations, as well as attendance bonuses. But much more is needed.

“Tyson has purposely put our lives at risk because they’ve been refusing to do contact tracing inside the plant and lying about the number of cases because their greed for profits is bigger than our own safety.”

— Venceremos member and Tyson worker in Springdale, Arkansas

## Expanding Milk with Dignity:

**Migrant Justice’s** fight to push Hannaford supermarkets to join the Milk with Dignity program has become more crucial during COVID. The Milk with Dignity Program brings together farmworkers, farmers, buyers and consumers to secure dignified working conditions in dairy supply chains. Due to the benefits of the program, workers at participating farms report better living and working conditions as they face the pandemic, including better housing, access to PPE, more sick time, and less worry of being fired without cause. Migrant Justice continues to lead efforts pressuring Hannaford, a corporation with almost 200 stores in the northeast, to join the Milk with Dignity program to allow thousands of farm workers and their families to have a voice on the job, including more power to fight for stronger COVID-19 protections.

## Know Your Rights Education

FCWA members have been on the front line ensuring food workers have the information they need to stay safe during COVID and know their rights.

The **Farmworker Association of Florida** created a dozen videos in multiple languages, including indigenous languages, to inform workers about issues related to COVID-19 and how to protect themselves. To inform employers, they are working with the Southeastern Coastal Center for Agricultural Health and Safety to disseminate information and resources to growers on how to protect their workers.

Advocates at the **Worker Justice Center of New York** are reaching workers through virtual workshops and presentations focused on the rights of workers during the pandemic, including a “Know Your Rights as an Immigrant” webinar that reached nearly 700 viewers in August as part of the Family Preparedness Clinic project, a collaborative local effort.

To protect workers in Illinois, **Warehouse Workers for Justice** is hosting Know Your Rights workshops and legal clinics to equip workers with knowledge, resources, and strategies regarding workers’ rights, immigrant rights, and sexual harassment in the workplace. This program has a special focus on formerly incarcerated people, who are often forced to go through a temp agency, affording them lower pay and no benefits and often putting them in the position of being the first to be let go.

When the New York City government failed to provide guidance on how street vendors should operate safely during the pandemic, the **Street Vendor Project** partnered with the NY COSH and Women in Informal Employment: Globalizing and Organizing (WIEGO) to develop their own guidelines, creating a pamphlet in English, Spanish, Mandarin and Arabic and distributing it across the city, and holding virtual health and safety trainings in those same languages. This keeps vendors informed of the numerous and often complicated rules they are subject to, and hopefully protects them from burdensome fines and/or police harassment.



Photo: Migrant Justice



## Direct Needs Provision

Community groups across the country, including several FCWA members, have raised millions of dollars to distribute cash and meals directly to food workers, regardless of their immigration status.

- The **Street Vendors Association of Chicago** has distributed over 55,000 meals to low-income communities in Chicago
- The **Street Vendor Project** has disbursed over \$140,000 in cash cards to 400+ vendors and their families across New York City
- **Restaurant Opportunities Center (ROC) United** has raised over \$1 million since launching a Pandemic Response Fund in March and provided cash assistance to more than 5,000 restaurant workers and their families.
- **Laundry Workers Center** has raised nearly \$25,000 to assist workers in their New York/New Jersey community with food and medicine.
- Since the state of Florida failed to mandate employer-provided PPE for essential workers, the **Farmworker Association of Florida (FWAF)** donated cloth masks to members in all 5 of their area offices across the state and secured an offer from the University of Florida to provide tests for community members in Apopka and Pierson. FWAF also created a pilot with Emory University to test for COVID-19 antibodies and got the Florida Health Department's Orange County office to provide additional testing for the community.
- FWAF has partnered with food banks in FL to distribute food to 300+ families per week in Apopka and Pierson; provided grants for food for families in all five of their offices statewide and secured funds of up to \$500/per family to 250 families (so far) for rent and utilities; and built community gardens to increase access to fresh food and build capacity for folks to grow their own.
- Within three days of their COVID lockdown, the **Cincinnati Interfaith Workers Center** had set up their first food distribution program, which is still feeding 150 families weekly and has led to an increase of workers getting assistance via their hotline.
- **Pioneer Valley Workers Center** built a network to support frontline workers during the pandemic, raising and distributing upwards of \$500,000 in emergency funds, providing thousands of pounds of food, and convening weekly worker assemblies that bring together thousands of workers to demand health and safety in the workplace.
- The **Alianza Agrícola** raised \$30,000 to support members and other farmworkers in the community affected by COVID. They also delivered food in multiple food drives to workers who could not access grocery stores due to the pandemic. They continue to support workers who have tested positive for COVID on several farms.
- **Justicia for Migrant Workers** has organized solidarity food drives and distributed over 5,000 solidarity food boxes and 1,000 culturally appropriate dinners for migrant farmworkers in Ontario, and provided groceries for approximately 250 Trinidadian workers who were stranded in Canada at the end of the growing season.



Photo: Farmworker Association of Florida



- **ROC DC** tells us that many of their members are trying to come up with creative ways to become sustainable in the future and not rely on employers. Workers are thinking about selling their own food, cookbooks, making videos, and more. ROC DC can provide help in starting small entrepreneurial businesses, perhaps moving toward a coop model.

## Fighting for Excluded Worker Funds

The support of community-led efforts is just a drop in the bucket of what people need right now, so many FCWA members have been organizing for government excluded worker funds to protect all essential workers excluded from relief based on their immigration status.

In New York State, **Brandworkers**, **Laundry Workers Center**, the **Street Vendor Project**, **Worker Justice Center of New York**, and **Workers' Center of Central New York** are part of a broad coalition fighting for the creation of an Excluded Workers Fund to assist those impacted by the COVID-19 pandemic who are completely left out of Unemployment Insurance, Pandemic Unemployment Assistance, and federal tax rebates or cash payments to taxpayers. The coalition is also calling for a "Mark to Market" billionaire wealth tax that would bring in an estimated \$5.5 billion for monthly cash payments and retroactive unemployment income going back to March for excluded workers, excluded businesses or self-employed people, and people recently released from incarceration or immigrant detention.

In Washington, D.C., after a series of direct actions supported by groups like FCWA member **Restaurant Opportunities Center of D.C.**, a city agency approved \$5M for undocumented workers in April. Following further organizing by the coalition and protests outside council members' houses, the City Council approved an additional \$9M for all excluded workers,

including returning citizens and people working in the informal economy. Unfortunately, this still comes far short of the \$30M activists say is needed to provide for the estimated 25,000 total undocumented residents across the District of Columbia.

The biggest win has come in Vermont, where lawmakers approved \$5 million in October for stimulus payments to workers left out of federal relief, making it the first state to create a fund for all residents excluded due to immigration status. FCWA member **Migrant Justice/Justicia Migrante** proposed the fund and built a coalition to fight for its passage, led by immigrant farm workers sustaining the state's dairy industry. The state's Republican Governor endorsed the proposal but offered only partial funding. Dairy workers and allies successfully pushed for the state to fully fund the program (at \$1,200 for adults and \$500 for children). Migrant Justice not only secured state funding for guaranteed relief payments but also ensured that they and other community organizations were selected by the state to administer the program. Because the program is run by a trusted organization, immigrant workers and their families can register and receive stimulus funds knowing that their information will be secure and protected.

## Organizing to Lift The Caps: Victory

In 2018, new legislation to lift the decades-old caps on permits was introduced to the New York City Council. Known as Intro 1116, the **Street Vendor Project** and a broad coalition of vendors and community groups have been growing support for the bill on the Council and across the City ever since. On January 28, 2021 Intro 1116 passed! Beginning in 2022, the City will add 400 new permits each year for the next decade, for a total of 4,000 additional permits by 2032. Since the City sells permits for \$200, this legislation lifts a huge weight off of the vendors who have been forced to pay tens of thousands of dollars for a permit on the underground market due to scarcity.

In addition to lifting the caps on permits, Intro 1116 codifies into law the enforcement change that Mayor DeBlasio announced in the summer uprisings of 2020: NYPD is no longer responsible for enforcing vendor regulations, and that is now the purview of the Department of Consumer and Worker Protection.



Photo: ROC-DC

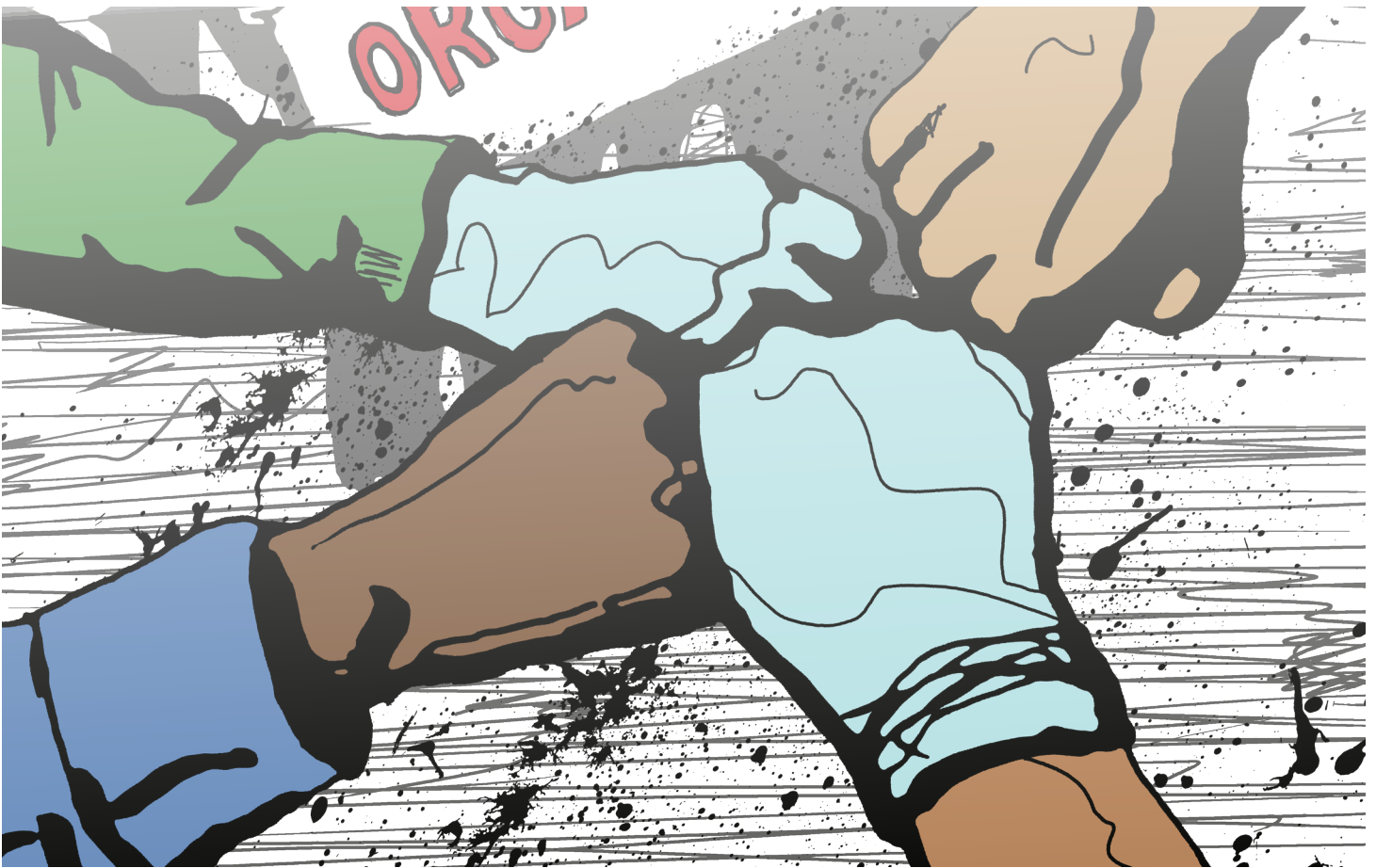
## Forming New Worker Organizations

### Workers are also coming together for the first time

In **Nashville** a new chapter of Restaurant Opportunities Center formed, ROC Music City, whose members built a committee to fight the wrongful termination of a worker at a local restaurant chain and won their reinstatement. They also [won back pay](#) for workers at another restaurant who had to take time off to quarantine when their employer tried to avoid complying with the Families First Coronavirus Relief Act's mandate to pay workers during COVID quarantines and for time lost for testing. Wasting no time after forming, ROC Music City also successfully won the institution of a labor-management board at a restaurant where management had forced staff to come in to do extra cleaning as a COVID-19 precaution, but paid them only their tipped rate of \$2.13/hour. That board continues to meet bi-weekly with management to discuss and negotiate issues in the restaurant.

## Amazon Workers Unionizing

In the summer of 2020, Amazon warehouse workers fed up with productivity tracking practices reached out to the **Retail, Wholesale and Department Store Union (RWDSU)** to talk about unionizing. By December, 2,000 workers at the **Bessemer, Alabama** facility known as BHMI signed cards indicating they wanted an election, and in January the National Labor Relations Board determined that the facility's 5,8000 workers could begin voting by mail in February—despite Amazon's best efforts to force an in-person election in the workplace. Now that they will vote between February 8 and the end of March, this is the largest and strongest unionizing effort that Amazon has faced to date. Even just getting an election is a victory for the workers, and the last such effort was in 2014. RWDSU President Stuart Appelbaum noted: "[the pandemic changed the way many people feel about their employers. Many workers see the benefit of having a collective voice.](#)" The warehouse workers at BHMI are predominantly Black workers, and unionizing as a tool for fighting for racial equity has been a critical component of the drive. RWDSU member organizers from nearby warehouses and poultry plants in the region are taking the lead in the organizing drive and outreach.



# CONCLUSION

From farms to packing houses, processing plants, food warehouses, food pantries and cafeterias, restaurants, retail storefronts, and more, food workers have been on the frontlines of the COVID-19 pandemic, continuing to provide essential services as cases surged. This is also the experience of other frontline workers in transportation, healthcare, security and more. The impacts on low wage “essential” workers and workers of color have been devastating and disproportionate. Black, Latinx, and Indigenous workers and their communities are suffering higher rates of COVID sickness and death, have been more impacted by the economic crisis, and have faced harsher retaliation for organizing for safer conditions in their workplaces.

In many ways, working conditions under the pandemic were unprecedented. In many other ways, the impacts were directly a result of long-standing systems of exploitation and structural racism that have put the profits of corporations over the lives of workers. The pandemic has underscored that worker organizing is what is needed to change these conditions. Even as food workers faced incredible challenges, they accelerated their organizing to win protections on the job. But if more workers had the power to stand up in their jobs, fewer workers would have suffered preventable illnesses and deaths due to COVID. [The Economic Policy Institute documents](#) that when workers have unions or other opportunities for collective representation, they are able to mitigate the worst impacts of the pandemic, from job loss to health and safety violation.

## FOOD WORKERS ORGANIZING

In 2019, FCWA launched our [Food Workers Organizing roadmap](#), developed through a collective member-wide process. The roadmap states that only through organizing in our workplaces and communities can we build the collective power needed to ensure that all workers can share in the wealth of their labor, and that all workers have the power to shape their working conditions and lives. The right to organize is central to this vision. Workers must have the ability to exercise this right in fair and safe working conditions, without fear of harassment or retaliation by employers or the government. We must challenge the multi-pronged ways this right is undermined.

Efforts to build food worker power must be grounded in an analysis of the roots of our food and economic system in slavery and colonization as well as the systems of racial capitalism and white supremacy that exist today. Our vision of a more just food and economic system cannot be realized without dismantling all institutions of racism.

We are calling for a broad and expansive workers’ rights agenda that lifts up the right to organize, health and safety, just wages, and migrant and racial justice. This agenda must be guided by and grounded in the organizing and demands of Black, Indigenous and workers of color. We stand in solidarity with food workers fighting for safe workplaces and power to shape our working conditions and our lives.



Photo: Familias Unidas por la Justicia

## THE RIGHT TO ORGANIZE IS FUNDAMENTAL

Current labor laws create huge barriers for food workers to act collectively on the job. In order to meaningfully exercise this right, food workers need new legal tools to bargain across industries and sectors and to set industry-wide fair wages and workplace standards. Barriers to collective action such as national and state exclusions for farmworkers from the right to organize and prohibitions on secondary boycotts must be removed. All workers need the right to collective action on the job, regardless of how their employer classifies (or mis-classifies) them. Finally, we need to create fair systems for joining a union (such as card check recognition) that are free from employer intimidation and retaliation and abolish anti-worker “right-to-work” policies.



## RACIAL JUSTICE

Our work must center the leadership, organizing, and demands of Black and Indigenous workers and communities. This includes supporting their fights for safe jobs and just wages, and the organizing of workers most affected by COVID and the systemic racism of our food system. Centering racial justice also means organizing in solidarity with the abolitionist demands of the Movement for Black Lives and efforts such as the [Breathe Act](#) aimed at divesting taxpayer dollars from discriminatory policing in favor of reinvesting in our communities. We must also expand our efforts to support the fight to end the labor exploitation of incarcerated people.

## HEALTH & SAFETY

We continue to demand that OSHA issue strong mandatory standards to protect all workers during the COVID-19 crisis and subsequent pandemics. We support our members' fights at the state and county level to ensure strong health and safety standards and to create mechanisms for workers to have a voice in their enforcement, such as through industry boards, public health councils, and worker committees.

Beyond the pandemic, all food workers need protection under health and safety laws, along with specific standards to address issues like heat stress and exposure to violence, hazards faced when working through temporary agencies, and strong protection from retaliation when they make complaints. When workers are injured, they need strong and fair workers compensation systems. All workers, including guestworkers, need guaranteed and timely access to healthcare and adequate replacement income. Finally, all workers need paid sick days and paid family leave. We support the [National Agenda for Worker Safety and Health](#) developed by National COSH and workers, unions, safety advocates and worker organizations.





Photo: ROC-DC

## JUST WAGES

Food workers earn the lowest hourly median wage compared to workers in all other industries. Even before COVID, [food chain workers relied on public assistance and were more food insecure than other workers](#). Low minimum wages, and a racist sub-minimum wage for tipped workers drive food workers low pay. Farmworkers are not entitled to overtime pay or must work a higher number of hours than other to qualify.

A living wage is a fundamental human right for all workers. We support campaigns around the country fighting to raise the minimum wage up to \$15 while acknowledging that in most places \$15/hour is no longer a livable wage. We must fight for more just wages going forward. The sub-minimum wage must be ended immediately for all workers, and farmworkers must be entitled to the same overtime laws as all other workers. When a crisis hits, all workers must be able to rely on adequate income through our Unemployment Insurance system, regardless of their immigration status. When workers refuse unsafe work, they must not lose entitlement to UI benefits. Finally, frontline workers who have borne tremendous risks during COVID must be entitled to premium or hazard pay.

## MIGRANT JUSTICE

All migrant and undocumented workers should have the opportunity to obtain immigration status and citizenship, along with equal access to all social programs and legal protections including the right to organize. We continue to call for an end to all detentions, separation of families, and deportations until comprehensive immigration reform is achieved, and to abolish ICE. The food industry pushes to expand exploitative guestworker programs in which workers have no access to permanent citizenship and face enormous challenges bargaining for better conditions. Guestworker programs have been used as a tool to divide workers, especially when workers are organizing to improve conditions in their community. We strongly oppose the pitting of workers against each other, whether based on race, gender, ethnicity, or their immigration status.

**We dedicate this report to all food workers who are organizing for safe conditions, speaking out about violations, and fighting for their community's basic needs and to our member organizations for their tireless work to build food worker power across the food chain.**

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## FCWA MEMBERS

The Alianza Agrícola  
Brandworkers International  
Burgerville Workers Union  
California Institute for Rural Studies  
Cincinnati Interfaith Workers Center  
Comité de Apoyo a los Trabajadores Agrícolas  
Community to Community Development  
Fair World Project  
Familias Unidas por la Justicia  
Farmworker Association of Florida  
Fédération du Commerce  
International Labor Rights Forum-Global Labor Justice  
Justicia for Migrant Workers  
Laundry Workers Center  
Migrant Justice  
Mississippi Workers Center for Human Rights

Pioneer Valley Workers Center  
Restaurant Opportunities Center United  
Retail Wholesale Department Store Union  
Rural Community Workers Alliance  
Rural & Migrant Ministry  
Street Vendors Association of Chicago  
Street Vendor Project  
Teamsters Joint Council No. 7  
Teamsters Local 63  
UNITE HERE Food Services Division  
United Food & Commercial Workers Local 770  
United for Respect  
Venceremos  
Warehouse Workers for Justice  
Warehouse Worker Resource Center  
Workers Center of Central New York  
Worker Justice Center of New York





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[www.foodchainworkers.org](http://www.foodchainworkers.org)

3055 Wilshire Blvd 300 Q  
Los Angeles, CA 90010  
United States  
[foodchainworkers.org](http://foodchainworkers.org)  
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