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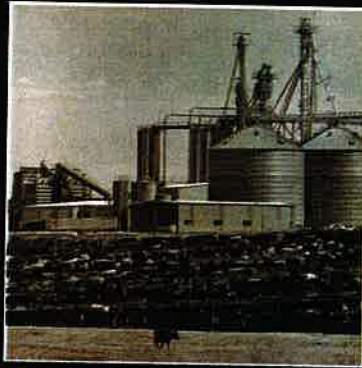
Mother Jones

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Missile Defense
Built

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A New Symbol
for the Women
of Iran

The Most



Dangerous Job in America

Thousands of meatpacking workers
suffer crippling injuries each year.

**A special report from inside
the nation's slaughterhouses**

By Eric Schlosser

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the chain never stops



American slaughterhouses are grinding out meat faster than ever—and the production line keeps moving, even when the workers are maimed by the machinery.

By Eric Schlosser

PHOTOGRAPHS BY
Eugene Richards

Kenny Dobbins is completely disabled after years as a meatpacker. Since he lost his job, he and his wife, Clara, have gotten by on public assistance. Above right: Industry giant IBP stresses safety at its plant gate in Amarillo, Texas.

Welcome to **ibp**

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THINK SAFETY FIRST

IN THE BEGINNING HE HAD BEEN FRESH AND STRONG, AND HE HAD GOTTEN A JOB THE FIRST DAY; BUT NOW HE WAS SECOND-HAND, A DAMAGED ARTICLE, SO TO SPEAK, AND THEY DID NOT WANT HIM.... THEY HAD WORN HIM OUT, WITH THEIR SPEEDING-UP AND THEIR CARELESSNESS, AND NOW THEY HAD THROWN HIM AWAY!

Upton Sinclair, The Jungle (1906)

KENNY DOBBINS was hired by the Monfort Beef Company in 1979. He was 24 years old, and 6 foot 5, and had no fear of the hard work in a slaughterhouse. He seemed invincible. Over the next two decades he suffered injuries working for Monfort that would have crippled or killed lesser men. He was struck by a falling 90-pound box of meat and pinned against the steel lip of a conveyor belt. He blew out a disc and had back surgery. He inhaled too much chlorine while cleaning some blood tanks and spent a month in the hospital, his lungs burned, his body covered in blisters. He damaged the rotator cuff in his left shoulder when a 10,000-pound hammer-mill cover dropped too quickly and pulled his arm straight backward. He broke a leg after stepping into a hole in the slaughterhouse's concrete floor. He got hit by a slow-moving train behind the plant, got bloodied and knocked right out of his boots, spent

two weeks in the hospital, then returned to work. He shattered an ankle and had it mended with four steel pins. He got more bruises and cuts, muscle pulls and strains than he could remember.

Despite all the injuries and the pain, the frequent trips to the hospital and the metal brace that now supported one leg, Dobbins felt intensely loyal to Monfort and ConAgra, its parent company. He'd left home at the age of 13 and never learned to read; Monfort had given him a steady job, and he was willing to do whatever the company asked. He moved from Grand Island, Nebraska, to Greeley, Colorado, to help Monfort reopen its slaughterhouse there without a union. He became an outspoken member of a group formed to keep union organizers out. He saved the life of a fellow worker—and was given a framed certificate of appreciation. And then, in December 1995, Dobbins felt a sharp pain in his chest while working in the plant. He thought it was a heart attack. According to Dobbins, the company nurse told him it was a muscle pull and sent him home. It was a heart attack, and Dobbins nearly died. While awaiting compensation for his injuries, he was fired. The company later

agreed to pay him a settlement of \$35,000.

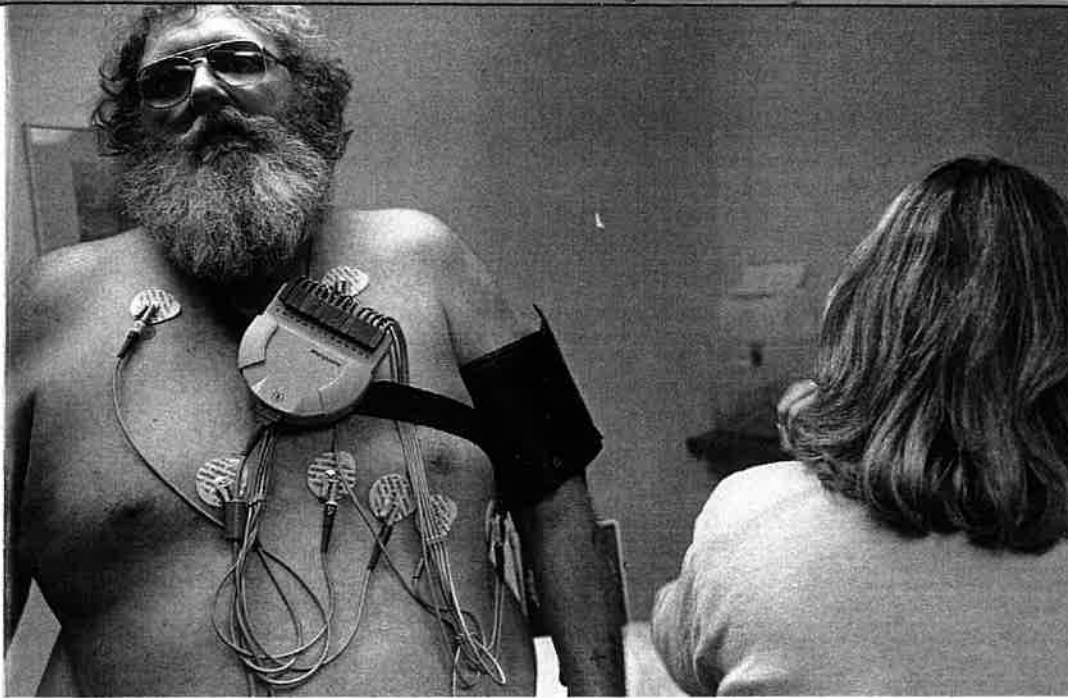
Today Kenny Dobbins is disabled, with a bad heart and scarred lungs. He lives entirely off Social Security payments. He has no pension and no health insurance. His recent shoulder surgery—stemming from an old injury at the plant and costing more than \$10,000—was paid by Medicare. He now feels angry beyond words at ConAgra, misused, betrayed. He's embarrassed to be receiving public assistance. "I've never had to ask for help before in my life," Dobbins says. "I've always worked. I've worked since I was 14 years old." In addition to the physical pain, the financial uncertainty, and the stress of finding enough money just to pay the rent each month, he feels humiliated.

What happened to Kenny Dobbins is now being repeated, in various forms, at slaughterhouses throughout the United States. Ac-

ording to the Bureau of Labor Statistics, meatpacking is the nation's most dangerous occupation. In 1999, more than one-quarter of America's nearly 150,000 meatpacking workers suffered a job-related injury or illness. The meatpacking industry not only has the highest injury rate, but also has by far the highest rate of serious injury—more than five times the national average, as measured in lost workdays. If you accept the official figures, about 40,000 meatpacking workers are injured on the job every year. But the actual number is most likely higher. The meatpacking industry has a well-documented history of discouraging injury reports, falsifying injury data, and putting injured workers back on the job quickly to minimize the reporting of lost workdays. Over the past four years, I've met scores of meatpacking workers in Nebraska, Colo-

Meatpacking is the nation's most dangerous occupation. It has the highest rate of serious injury—five times the national average.





Kenny Dobbins (above) undergoes a stress test prior to an operation for one of the many injuries he suffered as a meatpacker. He was once hit by a train at the Monfort Beef plant (opposite), but was back on the job in two weeks.

rado, and Texas who tell stories of being injured and then discarded by their employers. Like Kenny Dobbins, many now rely on public assistance for their food, shelter, and medical care. Each new year throws more injured workers on the dole, forcing taxpayers to subsidize the meatpacking industry's poor safety record. No government statistics can measure the true amount of pain and suffering in the nation's meatpacking communities today.

A LIST of accident reports filed by the Occupational Safety and Health Administration gives a sense of the dangers that workers now confront in the nation's meatpacking plants. The titles of these OSHA reports sound more like lurid tabloid headlines than the headings of sober government documents: Employee Severely Burned After Fuel From His Saw Is Ignited. Employee Hospitalized for Neck Laceration From Flying Blade. Employee's Finger Amputated in Sausage Extruder. Employee's Finger Amputated in Chitlin Machine. Employee's Eye Injured When Struck by Hanging Hook. Employee's Arm Amputated in Meat Auger. Employee's Arm Amputated When Caught in Meat Tenderizer. Employee Burned in Tallow Fire. Employee Burned by Hot Solution in Tank. One Employee Killed, Eight Injured by Ammonia Spill.

Employee Killed When Arm Caught in Meat Grinder. Employee Decapitated by Chain of Hide Puller Machine. Employee Killed When Head Crushed by Conveyor. Employee Killed When Head Crushed in Hide Fleshing Machine. Employee Killed by Stun Gun. Caught and Killed by Gut-Cooker Machine.

The most dangerous plants are the ones where cattle are slaughtered. Poultry slaughterhouses are somewhat safer because they are more highly mechanized; chickens have been bred to reach a uniform size at maturity. Cattle, however, vary enormously in size, shape, and weight when they arrive at a slaughterhouse. As a result, most of the work at a modern beef plant is still performed by hand. In the age of the space station and the microchip, the most important slaughterhouse tool is a well-sharpened knife.

Thirty years ago, meatpacking was one of the highest-paid industrial jobs in the United States, with one of the lowest turnover rates. In the decades that followed the 1906 publication of *The Jungle*, labor unions had slowly gained power in the industry, winning their members good benefits, decent working conditions, and a voice in the workplace. Meatpacking jobs were dangerous and unpleasant, but provided enough income for a solid, middle-class life. There were sometimes waiting lists for these jobs. And then, starting in the early 1960s, a company called Iowa Beef Packers (IBP) began to revolution-

ize the industry, opening plants in rural areas far from union strongholds, recruiting immigrant workers from Mexico, introducing a new division of labor that eliminated the need for skilled butchers, and ruthlessly battling unions. By the late 1970s, meatpacking companies that wanted to compete with IBP had to adopt its business methods—or go out of business. Wages in the meatpacking industry soon fell by as much as 50 percent. Today meatpacking is one of the nation's lowest-paid industrial jobs, with one of the highest turnover rates. The typical plant now hires an entirely new workforce every year or so. There are no waiting lists at these slaughterhouses today.

Staff shortages have become an industrywide problem, making the work even more dangerous.

In a relatively brief period of time, the meatpacking industry also became highly centralized and concentrated, giving enormous power to a few large agribusiness firms. In 1970, the top four meatpackers controlled just 21 percent of the beef market. Today the top four—IBP, ConAgra, Excel (a subsidiary of Cargill), and National Beef—control about 85 percent of the market. While the meatpackers have grown more powerful, the unions have grown much weaker. Only half of IBP's workers belong to a union, allowing that company to set the industry standard for low wages and harsh working conditions. Given the industry's high turnover rates, it is a challenge for a union simply to remain in a meatpacking plant, since every year it must gain the allegiance of a whole new set of workers.

In some American slaughterhouses, more than three-quarters of the workers are not native English speakers; many can't read any language, and many are illegal immigrants. A new migrant industrial workforce now circulates through the meatpacking towns of the High Plains. A wage of \$9.50 an hour seems incredible to men and women who come from rural areas in Mexico where the wages are \$7 a day. These manual laborers, long accustomed to toiling in the fields, are good workers. They're also unlikely to complain or challenge authority, to file lawsuits,

organize unions, fight for their legal rights. They tend to be poor, vulnerable, and fearful. From the industry's point of view, they are ideal workers: cheap, largely interchangeable, and disposable.

One of the crucial determinants of a slaughterhouse's profitability is also responsible for many of its greatest dangers: the speed of the production line. Once a plant is fully staffed and running, the more head of cattle slaughtered per hour, the less it costs to process each one. If the production line stops, for any reason, costs go up. Faster means cheaper—and more profitable. The typical line speed in an American slaughterhouse 25 years ago was about 175 cattle per hour. Some line speeds now approach 400 cattle per hour. Technological advances are responsible for part of the increase; the powerlessness of meatpacking workers explains the rest. Faster also means more dangerous. When hundreds of workers stand closely together, down a single line, wielding sharp knives, terrible things can happen when people feel rushed. The most common slaughterhouse injury is a laceration. Workers stab themselves or stab someone nearby. They struggle to keep up with the pace as carcasses rapidly swing toward them, hung on hooks from a moving, overhead chain. All sorts of accidents—involving power tools, saws, knives, conveyor belts, slippery floors, falling carcasses—become more likely when the chain moves too fast. One slaughterhouse nurse told me she could always tell the line speed by the number of people visiting her office.

The golden rule in meatpacking plants is "The Chain Will Not Stop." USDA inspectors can shut down the line to ensure food safety, but the meatpacking firms do everything possible to keep it moving at top speed. Nothing stands in the way of production, not mechanical failures, breakdowns, accidents. Forklifts crash, saws overheat, workers drop knives, workers get cut, workers collapse and lie unconscious on the floor, as dripping carcasses sway past them, and the chain keeps going. "The chain never stops," Rita Beltran, a former IBP worker told me. "I've seen bleeders, and they're gushing because they got hit right in the vein, and I mean they're almost passing out, and here comes the supply guy again, with the bleach, to clean the blood off the floor, but the chain never stops. It never stops."

ALBERTINA RIOS WAS a housewife in Mexico before coming to America nearly 20 years ago and going to work for IBP in Lexington, Nebraska. While bagging intestines, over and over, for eight hours a day, Rios soon injured her right shoulder. She was briefly placed on light duty, but asked to be assigned to a higher-paying position trimming heads, an even more difficult job that required moving heavy baskets of meat all day. When she complained about the pain to her supervisor, she recalls, he accused her of being lazy. Rios eventually underwent surgery on the shoulder, as well as two operations on her hands for carpal tunnel syndrome, a painful and commonplace injury caused by hours of repetitive motion.

Some of the most debilitating injuries in the meatpacking industry are also the least

visible. It is about 33 times higher than the national average. According to federal statistics, nearly 1 out of every 10 meatpacking workers suffers a cumulative trauma injury every year. In fact, it's very hard to find a meatpacking worker who's not suffering from some kind of recurring pain. For unskilled, unschooled manual laborers, cumulative trauma injuries such as disc problems, tendonitis, and "trigger finger" (a syndrome in which a finger becomes stuck in a curled position) can permanently limit the ability to earn a decent income. Much of this damage will never be healed.

After interviews with many slaughterhouse workers who have cumulative trauma injuries, there's one image that stays with me. It's the sight of pale white scars on dark skin. Ana Ramos came from El Salvador and went to work at the same IBP plant as Albertina Rios, trimming hair from the meat with scissors. Her fingers began to lock up; her hands began to swell; she developed shoulder problems from carrying 30- to 60-pound boxes. She recalls going to see the company doctor and describing the pain,

From the industry's point of view, migrant laborers are ideal workers: cheap and disposable.

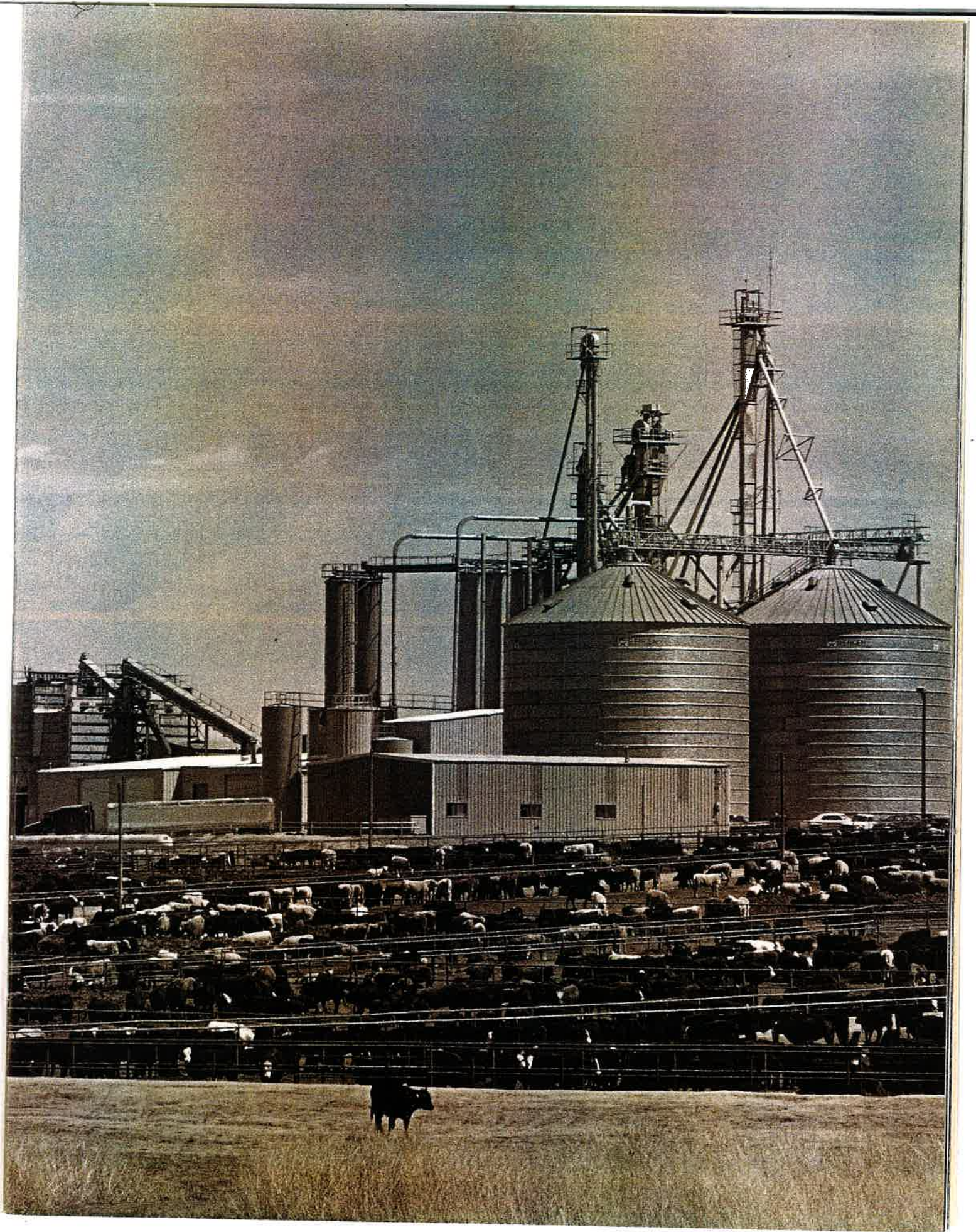
visible. Properly sutured, even a deep laceration will heal. The cumulative trauma injuries that meatpacking workers routinely suffer, however, may cause lifelong impairments. The strict regimentation and division of labor in slaughterhouses means that workers must repeat the same motions again and again throughout their shift. Making the same knife cut 10,000 times a day or lifting the same weight every few seconds can cause serious injuries to a person's back, shoulders, or hands. Aside from a 15-minute rest break or two and a brief lunch, the work is unrelenting. Even the repetition of a seemingly harmless task can lead to pain. "If you lightly tap your finger on a desk a few times, it doesn't hurt," an attorney for injured workers told me. "Now try tapping it for eight hours straight, and see how that feels."

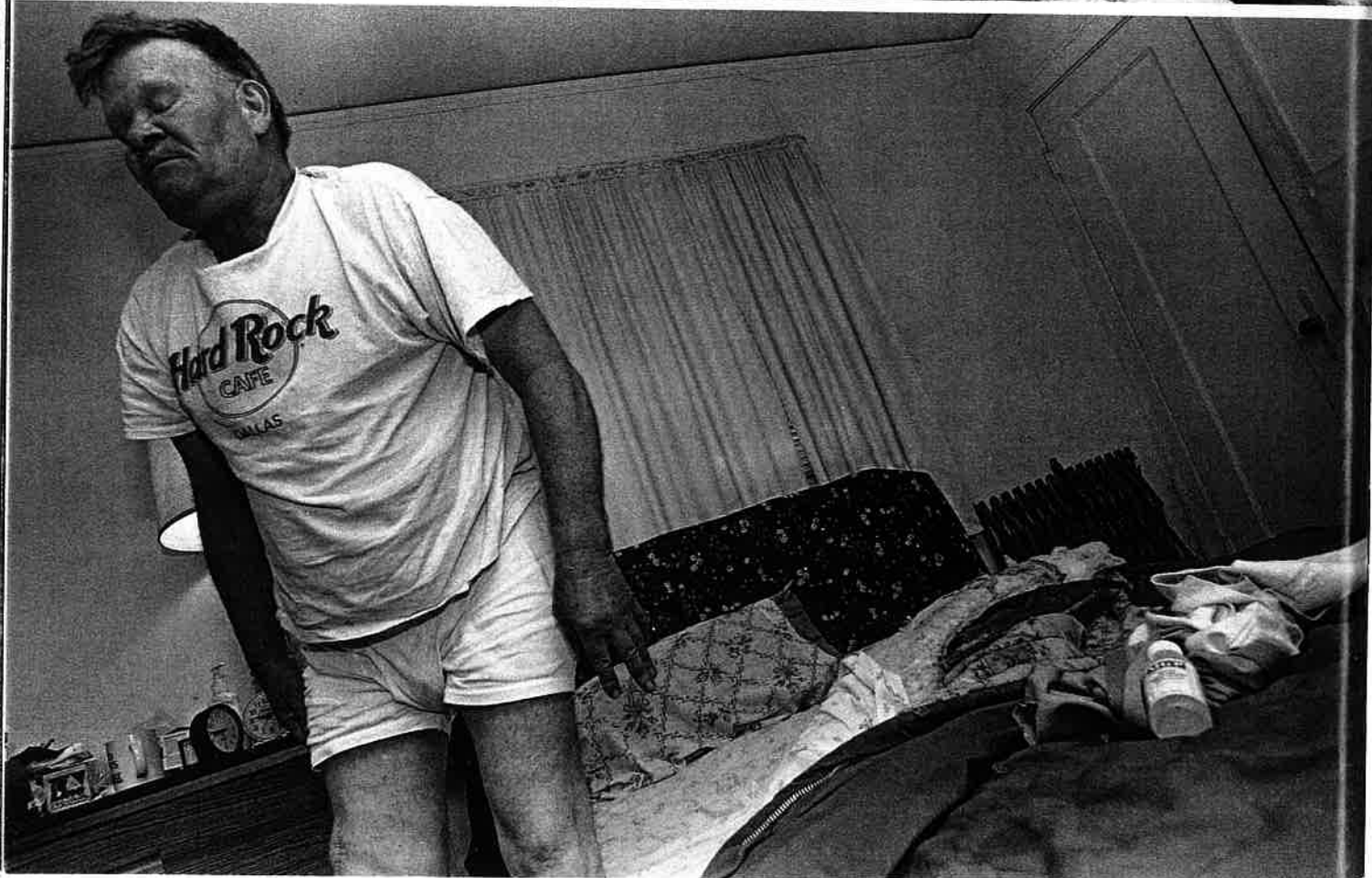
The rate of cumulative trauma injuries in meatpacking is the highest of any American indus-

only to be told the problem was in her mind. She would leave the appointments crying. In January 1999, Ramos had three operations on the same day—one on her shoulder, another on her elbow, another on her hand. A week later, the doctor sent her back to work. Dora Sanchez, who worked at a different IBP plant, complained for months about soreness in her hands. She says the company ignored her. Sanchez later had surgery on both hands. She now has a "spinal cord stimulator," an elaborate pain-reduction system implanted in her body, controlled from a small box under the skin on her hip. She will need surgery to replace the batteries every six or seven years.

Cumulative trauma injuries may take months or even years to develop; other slaughterhouse injuries can happen in an

Many meatpacking injuries are caused by working on heavy carcasses by hand. A giant feedlot in Hereford, Texas (opposite), fattens cattle for shipment to slaughterhouses.





instant. Lives are forever changed by a simple error, a wrong move, a faulty machine. Raul Lopez worked as a carpenter in Mexico, making tables, chairs, and headboards, before coming to the United States in 1995 to do construction work in Santa Fe, New Mexico. He was 20 years old at the time, and after laying concrete foundations for two years, he moved to Greeley and got a job at the Monfort Beef plant, where the pay was higher. He trimmed hides after they came up from the kill floor, cutting off the legs and heads, lifting them up with mechanical assistance, and placing the hides on a hook. It was one of the most difficult jobs in the plant. Each hide weighed about 180 pounds, and he lifted more than 300 of them every hour. He was good at his job and became a "floater," used by his supervisor to fill in for absent workers. Lopez's hands and shoulders were sore at the end of the day, but for two years and two months he suffered no injuries.



One of his gloves got snagged in the chain. He grabbed it with his free hand and screamed for help.

At about seven in the morning on November 22, 1999, Lopez was substituting for an absent worker, standing on a four-foot-high platform, pulling hides from a tank of water that was washing blood and dirt off them. The hides were suspended on hooks from a moving chain. The room was cold and foggy, and it was difficult to see clearly. There were problems somewhere up ahead on the line, but the chain kept moving, and Lopez felt pressure to keep up. One of his steel-mesh gloves suddenly got snagged in the chain, and it dragged him down the line toward bloody, filthy water that was three feet deep. Lopez grabbed the chain with his free hand and screamed for help. Someone ran to another room and took an extraordinary step: He shut down the line. The arm caught in the chain, Lopez's left one, was partially crushed. He lost more than three pints of blood and almost bled to death. He was rushed to a hospital in Denver, endured the first of many operations, and survived. Five months later, Lopez was still

Raul Lopez (opposite, above) was caught on the chain at a Monfort Beef plant in Colorado and dragged along the production line, nearly severing his arm. Michael Glover (opposite, below) has a hard time walking since he shattered his knee while working for IBP in Amarillo, Texas.

in enormous pain and heavily medicated. Nevertheless, he says, a company doctor ordered him back to work. His previous supervisor no longer worked at the plant. Lopez was told that the man had simply walked off the job and quit one day, feeling upset about the accident.

I recently visited Lopez on a lovely spring afternoon. His modest apartment is just a quarter mile down the road from the slaughterhouse. The living room is meticulously neat and clean, filled with children's toys and a large glass display case of Native American curios. Lopez now works in the nurse's office at the plant, handling files. Every day he sees how injured workers are treated—given some Tylenol and then sent back to the line—and worries that ConAgra is now planning to get rid of him. His left arm hangs shriveled and lifeless in a sling. It is a deadweight that causes severe pain in his neck and back. Lopez wants the company to pay for an experimental operation that might restore some movement to the arm. The alternative could be amputation. ConAgra will say only that it is weighing the various medical options. Lopez is 26 years old

and believes his arm will work again. "Every night, I pray for this operation," he says, maintaining a polite and dignified facade. A number of times during our conversation, he suddenly gets up and leaves the room. His wife, Silvia, stays behind, sitting across from me on the couch, holding their one-year-old son in her arms. Their three-year-old daughter happily wanders in and out to the porch. Every time the front door swings open for her, a light breeze from the north brings the smell of death into the room.

THE MEATPACKING companies refuse to comment on the cases of individual employees like Raul Lopez, but insist they have a sincere interest in the well-being of their workers. Health and safety, they maintain, are the primary concerns of every supervisor, foreman, nurse, medical claims examiner, and company-approved doctor. "It is in our best interest to take care of our workers and ensure that they are protected and able to work every day," says Janet M. Riley, a vice president of the American Meat Institute, the industry's trade association. "We are very concerned about improving worker safety. It is absolutely to our benefit."

The validity of such claims is measured



Hector Reyes (above) won a rare legal victory after he lost four of his fingers while cleaning a blower at a meatpacking plant. Dora Sanchez (opposite) underwent surgery to implant an elaborate device in her body that reduces the pain of her cumulative trauma injuries. She will require additional surgery every six years to replace the batteries.

best in Texas, where the big meatpackers have the most freedom to do as they please. In many ways, the true heart of the industry lies in Texas. About one-quarter of the cattle slaughtered every year in the United States—roughly 9 million animals—are processed in Texas meatpacking plants. One of the state's U.S. senators, Phil Gramm, is the industry's most powerful ally in Congress. His wife, Wendy Lee, sits on the board of IBP. The state courts and the legislature have also been friendly to the industry. Indeed, many injured meatpacking workers in Texas now face a system that has been devised not only to prevent any independent scrutiny of their medical needs, but also to prevent them from suing for on-the-job injuries.

In the early years of the 20th century, public outrage over the misfortune of industrial workers hurt on the job prompted legislatures throughout the United States to enact workers' compensation laws. Workers' comp was intended to be a form of mandatory, no-fault insurance. In return for surrendering the legal right to sue their employer for damages, injured workers were guaranteed immediate access to medical care, steady income while they recuperated, and disability payments. All 50 states eventually passed workers' comp legislation of one sort or an-

other, creating systems in which employers generally obtained private insurance and any disputes were resolved by publicly appointed officials.

Recent efforts by business groups to "reform" workers' comp have made it more difficult for injured employees to obtain payments. In Colorado, the first "workers' comp reform" bill was sponsored in 1990 by Tom Norton, a conservative state senator from Greeley. His wife, Kay, was a vice president at ConAgra Red Meat at the time. Under Colorado's new law, which places limits on compensation, the maximum payment for losing an arm is \$37,738. Losing a digit brings you anywhere from \$2,400 to \$9,312, depending on whether it's a middle finger, a pinkie, or a thumb.

The meatpacking companies have a vested interest in keeping workers' comp payments as low as possible. IBP, Excel, and ConAgra are all self-insured. Every dime spent on injured workers in such programs is one less dime in profits. Slaughterhouse supervisors and foremen, whose annual bonuses are usually tied to the injury rate of their workers, often discourage people from reporting injuries or seeking first aid. The packinghouse culture encourages keep-

ing quiet and laboring in pain. Assignments to "light duty" frequently punish an injured worker by cutting the hourly wage and forbidding overtime. When an injury is visible and impossible to deny—an amputation, a severe laceration, a chemical burn—companies generally don't contest a worker's claim or try to avoid medical payments. But when injuries are less obvious or workers seem uncooperative, companies often block every attempt to seek benefits. It can take injured workers as long as three years to get their medical bills paid. From a purely financial point of view, the company has a strong incentive to delay every payment in order to encourage a less-expensive settlement. Getting someone to quit is even more profitable—an injured worker who walks away from the job is no longer eligible for any benefits. It is not uncommon to find injured workers assigned to meaningless or unpleasant tasks as a form of retaliation, a clear message to leave. They are forced to sit all day watching an emergency exit or to stare at gauges

amid the stench in rendering.

In Texas, meatpacking firms don't have to manipulate the workers' comp system—they don't even have to participate in it. The Texas Workers Compensation Reform Act of 1989 allowed private companies to drop out of the state's workers' comp system. Although the law gave injured workers the right to sue employers that had left the system, that provision was later rendered moot. When a worker is injured at an IBP plant in Texas, for example, he or she is immediately presented with a waiver. It reads: "I have been injured at work and want to apply for the payments offered by IBP to me under its Workplace Injury Settlement Program. To qualify, I must accept the rules of the Program. I have been given a copy of the Program summary. I accept the Program."

Signing the waiver means forever surrendering your right—and the right of your family and heirs—to sue IBP on any grounds. Workers who sign the waiver may receive immediate medical care under IBP's program. Or they may not. Once they sign, IBP

ted to an IBP-approved arbitrator. The company has said the waivers are designed "to more effectively ensure quality medical care for employees injured on the job." Workers who refuse to sign the IBP waiver not only risk getting no medical care from the company, but also risk being fired on the spot. In February 1998, the Texas Supreme Court ruled that companies operating outside the state's workers' comp system can fire workers simply because they're injured.

Today, an IBP worker who gets hurt on the job in Texas faces a tough dilemma: Sign the waiver, perhaps receive immediate medical attention, and remain beholden, forever, to IBP. Or refuse to sign, risk losing your job, receive no help with your medical bills, file a lawsuit, and hope to win a big judgment

the *Texas Observer*, described the lengths to which Terry Zimmerman, one of IBP's managers, will go to get a signed waiver. When Lonita Leal's right hand was mangled by a hamburger grinder at the IBP plant in Amarillo, Zimmerman talked her into signing the waiver with her left hand, as she waited in the hospital for surgery. When Duane Mullin had both hands crushed in a hammer mill at the same plant, Zimmerman persuaded him to sign the waiver with a pen held in his mouth.

Unlike IBP, Excel does not need to get a signed waiver after an injury in Texas. Its waiver is included in the union contract that many workers unwittingly sign upon being hired. Once they're injured, these workers often feel as much anger toward the union as they do toward their employer. In March,

Injured workers in Texas now face a system designed to prevent them from suing their employer.



and its company-approved doctors have control over the worker's job-related medical treatment—for life. Under the program's terms, seeking treatment from an independent physician can be grounds for losing all medical benefits. If the worker objects to any decision, the dispute can be submit-

against the company someday. Injured workers almost always sign the waiver. The pressure to do so is immense. An IBP medical case manager will literally bring the waiver to a hospital emergency room in order to obtain an injured worker's signature. Karen Olsson, in a fine investigative piece for

the Texas Supreme Court upheld the legality of such waivers, declaring that the "freedom of contract" gave Americans the ability to sign away their common-law rights. Before the waiver became part of the standard contract, Excel was held accountable, every so often, for its behavior.

Hector Reyes is one of the few who has managed to do something productive with his sense of betrayal. For 25 years, his father was a maintenance worker at the Excel plant in Friona, Texas, a couple of hours southwest of Amarillo. As a teenager, Reyes liked to work in the plant's warehouse, doing inventory. He'd grown up around the slaughterhouse. He later became a Golden Gloves champion boxer and went to work for Excel in 1997, at the age of

25, to earn money while he trained. One day he was asked to clean some grease from the blowers in the trolley room. Reyes did as he was told, climbing a ladder in the loud, steam-filled room and wiping the overhead blowers clean. But one of the blowers lacked a proper cover—and in [continued on page 86]

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Circle #39 on the reader service card between pages 88-89.

the chain never stops

[continued from page 47] an instant the blade shredded four of the fingers on Reyes' left hand. He climbed down the ladder and yelled for help, but nobody would come near him, as blood flew from the hand. So Reyes got himself to the nurse's office, where he was immediately asked to provide a urine sample. In shock and in pain, he couldn't understand why they needed his urine so badly. Try as he might, he couldn't produce any. The nurse called an ambulance, but said he wouldn't receive any painkillers until he peed in a cup. Reyes later realized that if he'd failed the urine test, Excel would not have been obligated to pay any of his medical bills. This demand for urine truly added insult to injury: Reyes was in training and never took drugs. He finally managed to urinate and received some medication. The drug test later came back negative.

On his fourth night in a Lubbock hospital, Reyes was awakened around midnight and told to report for work the next morning in Friona, two hours away. His wife would have to drive, but she was three months pregnant. Reyes refused to leave the hospital until the following day. For the next three months, he simply sat in a room at the Excel plant with other injured workers or filed papers for eight hours a day, then drove to Lubbock for an hour of physical therapy and an hour of wound cleaning before heading home. "You've already cost the company too much money," he recalls one supervisor telling him. Reyes desperately wanted to quit but knew he'd lose all his medical benefits if he did. He became suicidal, despondent about the end of his boxing career and his disfigurement. Since the union had not yet included a waiver in its Excel contract, Reyes was able to sue the company for failing to train him properly and for disregarding OSHA safety guidelines. In 1999, he won a rare legal victory: \$879,312.25 in actual damages and \$1 million in punitive damages. Under the current Excel contract, that sort of victory is impossible to achieve.

FEDERAL SAFETY LAWS were intended to protect workers from harm, regardless of the vagaries of state laws like those in Texas. OSHA is unlikely, however, to do anything for meatpacking workers in the near future.

The agency has fewer than 1,200 inspectors to examine the safety risks at the nation's roughly 7 million workplaces. The maximum OSHA fine for the death of a worker due to an employer's willful negligence is \$70,000—an amount that hardly strikes fear in the hearts of agribusiness executives whose companies have annual revenues that are measured in the tens of billions. One of President George W. Bush's first acts in office was to rescind an OSHA ergonomics standard on repetitive-motion injuries that the agency had been developing for nearly a decade. His move was applauded by IBP and the American Meat Institute.

The new chairman of the House Subcommittee on Workforce Protections, which oversees all legislation pertaining to OSHA, is Rep. Charles Norwood, a Republican from Georgia. Norwood was an outspoken supporter of the OSHA Reform Act of 1997—a bill that would have effectively abolished the agency. Norwood, a former dentist, became politically active in the early 1990s out of a sense of outrage that OSHA regulations designed to halt the spread of AIDS were forcing him to wear fresh rubber gloves for each new patient. He has publicly suggested that many workers get repetitive-stress injuries not from their jobs, but from skiing and playing too much tennis.

For Kevin Glasheen, one of the few Texas attorneys willing to battle IBP, the plight of America's meatpacking workers is "a fundamental failure of capitalism." By failing to pay the medical bills of injured workers, he says, large meatpackers are routinely imposing their business costs on the rest of society, much as utilities polluted the air a generation ago without much regard to the consequences for those who breathed it.

Rod Rehm, an attorney who defends many Latino meatpacking workers in Nebraska, believes that two key changes could restore the effectiveness of most workers' comp plans. Allowing every worker to select his or her own physician would liberate medical care from the dictates of the meatpacking companies and the medical staff they control. More important, Rehm argues, these companies should not be permitted to insure themselves. If independent underwriters had to insure the meatpackers, the threat of higher insurance premiums would quickly get the attention of the meatpacking industry—and force it to take safety issues seriously.

UNTIL FUNDAMENTAL CHANGES are made, the same old stories will unfold. Michael Glover is still awaiting payment from IBP, his employer for more than two decades. For 16 of those years, Glover worked as a splitter in the company's Amarillo plant. Every 20 to 30 seconds, a carcass would swing toward him on a chain. He would take "one heavy heavy power saw" and cut upward, slicing the animal in half before it went into the cooler. The job took strength, agility, and good aim. The carcasses had to be sliced exactly through the middle. One after another they came at him, about a thousand pounds each, all through the day.

On the morning of September 30, 1996, after splitting his first carcass, Glover noticed vibrations in the steel platform beneath him. A maintenance man checked the platform and found a bolt missing, but told Glover it was safe to keep working until it was replaced. Moments later, the platform collapsed as Glover was splitting a carcass. He dropped about seven feet and shattered his right knee. While he lay on the ground and workers tried to find help, the chain kept going as two other splitters picked up the slack. Glover was taken in a wheelchair to the nurse's station, where he went into shock in the hallway and fell unconscious. He sat in that hall for almost four hours before being driven to an outpatient clinic. A full seven hours after the accident, Glover was finally admitted to a hospital. He spent the next six days there. His knee was too badly shattered to be repaired; no screws would hold; the bone was broken into too many pieces.

An artificial knee was later inserted. Glover suffered through enormous pain and a series of complications: blood clots, ulcers, phlebitis. Nevertheless, he says, IBP pressured him to return to work in a wheelchair during the middle of winter. On snowy days, several men had to carry him into the plant. Once it became clear that his injury would never fully heal, Glover thinks IBP decided to get rid of him. But he refused to quit and lose all his medical benefits. He was given a series of humiliating jobs. For a month, Glover sat in the men's room at the plant for eight hours a day, ordered by his supervisor to make sure no dirty towels or toilet paper remained on the floor.

"Michael Glover played by IBP's rules," says his attorney, James H. Woods, a fierce

critic of the Texas workers' comp system. The day of his accident, Glover had signed the waiver, surrendering any right to sue the company. Instead, he filed for arbitration under IBP's Workplace Injury Settlement Program. Last year, on November 3, Glover was fired by IBP. Twelve days later, his arbitration hearing convened. The arbitrator, an Amarillo lawyer named Tad Fowler, was selected by IBP. Glover sought money for his pain and suffering, as well as lifetime payments from the company. He'd always been a hardworking and loyal employee. Now he had no medical insurance. His only income was \$250 a week in unemployment. He'd fallen behind in his rent and worried that his family would be evicted from their home.

On December 20, Fowler issued his decision. He granted Glover no lifetime payments but awarded him \$350,000 for pain and suffering. Glover was elated, briefly. Even though its workplace-injury settlement program clearly states that "the arbitrator's decision is final and binding," the company so far has refused to pay him. IBP claims that by signing the waiver, Glover forfeited any right to compensation for "physical pain, mental anguish, disfigurement, or loss of enjoyment of life." IBP has even refused to pay its own arbitrator for his services, and Fowler is now suing the company to get his fee. He has been informed that IBP will never hire him again for an arbitration.

Glover's case is now in federal court. He is a proud man with a strong philosophical streak. He faces the possibility of another knee replacement or of amputation. "How can this company fire me after 23-and-one-half years of service," he asks, "after an accident due to no fault of my own, and requiring so much radical surgery, months and months of pain and suffering, and nothing to look forward to but more pain and suffering, and refuse to pay me an award accrued through its own program?"

There is no good answer to his question. The simple answer is that IBP can do it because the laws allow them to do it. Michael Glover is just one of thousands of meat-packing workers who've been mistreated and then discarded. There is nothing random or inscrutable about their misery; it is the logical outcome of the industry's practices. A lack of public awareness, a lack of outrage, have allowed these abuses to continue, one after another, with a machine-like efficiency. This chain must be stopped. ■

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