

After meat plant raid, workers assist labor probe
Illegal immigrant employees at Iowa kosher facility talk of inhumane
working
conditions

Julia Preston, New York Times

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When federal immigration agents raided the kosher meatpacking plant here in May and rounded up 389 illegal immigrants, they found more than 20 underage workers, some as young as 13.

Now, those young immigrants have begun to tell investigators about their jobs. Some said they worked shifts of 12 hours or more, wielding razor-edged knives and saws to slice freshly killed beef. Some said they worked through the night, sometimes six nights a week.

One, a Guatemalan named Elmer L. who said he was 16 when he started working on the plant's killing floors, said he worked 17-hour shifts, six days a week. In an affidavit, he said he was constantly tired and did not have time to do anything but work and sleep. "I was very sad," he said, "and I felt like I was a slave."

To investigate the child labor accusations, the federal Labor Department has joined the Iowa Division of Labor Services in cooperation with the state attorney general's office, officials for the three agencies said.

At first, labor officials said the raid had disrupted federal and state investigations already under way at Agriprocessors Inc., the nation's largest kosher plant. The raid has drawn criticism for what some see as harsh tactics against the immigrants, with little action taken against their employers.

But in the aftermath of the arrests, labor investigators have reaped a bounty of new evidence from the testimony of illegal immigrants, both teenagers and adults, who were caught in the raid. In formal declarations, immigrants have described pervasive labor violations at the plant, testimony that could result in criminal charges for Agriprocessors executives, labor law experts said.

Out of work and facing deportation proceedings, many of the immigrants say they now have nothing to lose in speaking up about the conditions in the plant. They have told investigators that they were routinely put to work

without safety training and were forced to work long shifts without overtime or rest time. Underage workers said their bosses knew how young they were.

Because of the dangers of the work, it is illegal in Iowa for a company to employ anyone under 18 on the floor of a meatpacking plant.

In a statement, Agriprocessors said it did not employ workers under 18 and would fire any underage worker found to have presented false documents to obtain work.

At a meeting Saturday, three members of the House Hispanic Caucus - including its chairman, Rep. Luis Gutierrez, D-Ill. - heard seven immigrant minors describe working in the Agriprocessors plant.

Other investigations are also under way. The Equal Employment Opportunity Commission is examining accusations of sexual harassment of women at the plant. Lawyers for the immigrants are preparing a suit under the federal Fair Labor Standards Act for wage and hour violations.

Federal justice and immigration officials, speaking on Thursday at a hearing in Washington of the House Judiciary immigration subcommittee, said their investigations were continuing. A federal grand jury in Cedar Rapids is hearing evidence about Agriprocessors.

While federal prosecutors are primarily focusing on immigration charges, they may also be looking into labor violations. Search warrant documents filed in court before the raid, which was May 12, cited a report by an anonymous immigrant who was sent to work in the plant by immigration authorities as an undercover informant. The immigrant saw "a rabbi who was calling employees derogatory names and throwing meat at employees."

Jewish managers oversee the slaughtering and processing of meat at Agriprocessors to ensure kosher standards.

So far, 297 illegal immigrants from the May raid have been convicted of document fraud and other criminal charges, and most were sentenced to five months in prison, after which they will be deported.

A spokesman for Agriprocessors, Menachem Lubinsky, said the company could not comment on an active investigation.

"The company has two objectives in mind: to restore its production to meet the demands of the kosher food market and to be in full compliance with all local, state and federal laws," Lubinsky said.

Most of the young immigrants were hired at Agriprocessors after they presented false Social Security cards or other documents saying they were older than they were.

But in an interview, Elmer L. said he had told floor supervisors that he was under 18. He asked that his last name not be published on advice of his lawyer, Perras Konrad, because he is a minor in deportation proceedings.

<http://sfgate.com/cgi-bin/article.cgi?f=/c/a/2008/07/27/MN9N1207UM.DTL>

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