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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH
SESSION

HOUSE FILE No. **643**

February 5, 2007

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The bill was read for the first time and referred to the Committee on Commerce and Labor

1.1 A bill for an act
1.2 relating to labor relations; establishing certain rights for workers in the
1.3 meatpacking industry; providing civil and criminal penalties; establishing the
1.4 position of meatpacking industry workers rights ombudsman in the Department
1.5 of Labor and Industry; requiring a report; proposing coding for new law in
1.6 Minnesota Statutes, chapter 179.

1.7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.8 Section 1. [179.86] PACKINGHOUSE WORKERS BILL OF RIGHTS.

1.9 Subdivision 1. **Definition.** For the purpose of this section, "employer" means an
1.10 employer in the meatpacking industry.

1.11 Subd. 2. **Right to adequate facilities.** An employer must provide its employees:

1.12 (1) adequate and working restroom facilities;

1.13 (2) adequate room for meal and rest breaks;

1.14 (3) adequate locker facilities; and

1.15 (4) adequate time for necessary restroom breaks.

1.16 Subd. 3. **Right to adequate equipment.** An employer must furnish its employees
1.17 with equipment that is adequate to perform the job task assigned.

1.18 Subd. 4. **Information provided to employee by employer.** (a) An employer
1.19 must provide an explanation in an employee's native language of the employee's rights
1.20 and duties as an employee either person to person or through written materials that, at a
1.21 minimum, include:

1.22 (1) a complete description of the salary and benefits plans as they relate to the
1.23 employee;

1.24 (2) a job description for the employee's position;

1.25 (3) a description of leave policies;

- 2.1 (4) a description of the work hours and work hours policy; and
- 2.2 (5) a description of the occupational hazards known to exist for the position.

2.3 (b) The explanation must also include information on the following employee rights
 2.4 as protected by state or federal law and a description of where additional information
 2.5 about those rights may be obtained:

- 2.6 (1) the right to organize and bargain collectively;
- 2.7 (2) the right to a safe workplace; and
- 2.8 (3) the right to be free from discrimination.

2.9 Subd. 5. **Civil action.** A person aggrieved as a result of a violation of this section
 2.10 may file suit in any district court of this state. If the court finds that the respondent has
 2.11 intentionally violated this section, the court may award damages up to and including an
 2.12 amount equal to the original damages and may provide injunctive relief.

2.13 Subd. 6. **Criminal penalty.** An employer who violates this section is guilty of a
 2.14 misdemeanor.

2.15 **Sec. 2. [179.87] MEATPACKING INDUSTRY WORKERS RIGHTS**
 2.16 **OMBUDSMAN.**

2.17 Subdivision 1. **Position established.** The position of meatpacking industry workers
 2.18 rights ombudsman is established within the Department of Labor and Industry. The
 2.19 ombudsman shall be appointed by the senate.

2.20 Subd. 2. **Duties.** The ombudsman shall inspect and review the practices and
 2.21 procedures of meatpacking operations in the state. The ombudsman shall work to ensure
 2.22 that the following workers rights are protected:

- 2.23 (1) the right to organize;
- 2.24 (2) the right to a safe workplace;
- 2.25 (3) the right to adequate facilities and the opportunity to use them;
- 2.26 (4) the right to complete information;
- 2.27 (5) the right to understand the information provided;
- 2.28 (6) the right to existing state and federal benefits and rights;
- 2.29 (7) the right to be free from discrimination;
- 2.30 (8) the right to continuing training, including training of supervisors;
- 2.31 (9) the right to compensation for work performed; and
- 2.32 (10) the right to seek state help.

2.33 Subd. 3. **Access.** The ombudsman or designated representatives of the ombudsman
 2.34 shall have access to all meatpacking operations in the state at any time meatpacking
 2.35 products are being processed and industry workers are on the job.

3.1 Subd. 4. **Office.** Necessary office space, furniture, equipment, and supplies as
3.2 well as necessary assistance for the ombudsman shall be provided by the Department of
3.3 Labor and Industry.

3.4 Subd. 5. **Language preference.** Preference shall be given to applicants for the
3.5 ombudsman position who are fluent in the Spanish language.

3.6 Subd. 6. **Report.** The ombudsman shall, on or before December 1 of each year,
3.7 submit a report to the members of the legislature and the governor regarding any
3.8 recommended actions the ombudsman deems necessary or appropriate to provide for the
3.9 fair treatment of workers in the meatpacking industry.