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Wells Edit April 28

At Least 9,000 Arkansas Workers Caught COVID-19 As Pandemic Overwhelmed Regulators, Companies

By Mary Hennigan, Abby Zimmardi and Rachell Sanchez-Smith April 26, 2021

Poultry giant Tyson Foods Inc., the third largest employer in Arkansas¹, reported 2,866 COVID-19 cases² at its workplaces, nearly one-third of the state's 9,065³ sickened workers across all industries, according to an Arkansascovid.com analysis of Arkansas Department of Health data.

Tyson appeared 281 times in COVID-19 occupational illness⁴ reports from May 19, 2020 to April 8, 2021, which showed five or more active cases at the time of the report⁵. Comparatively, Walmart Inc., the largest employer in the state, had two appearances⁶ that totaled 12 sick workers⁷.Of Tyson's 21 major locations in Arkansas⁸, four have not appeared in state health department occupational reports during the pandemic⁹. Near the company's headquarters in northwest Arkansas, the Tyson Berry Street location in Springdale reported 416 COVID-19 cases, the most of any company workplace in the data ¹⁰.

In working conditions that stress a quick turn-around on products, have close-contact with fellow employees,¹¹ and brisk temperatures¹², workers told Arkansascovid.com they were put at risk for catching the virus¹³. Some workers said they were fearful to go to work¹⁴, but remained stuck in a

¹ 24,000 Arkansas Employees from Tyson website <u>here</u>, third paragraph. ArkansasBusiness rankings <u>here</u>

² Company totals here

³ Company totals .csv <u>here</u>, screenshot of RScript with total 9,065 workers <u>here</u>: https://github.com/profrobwells/Spring2021Data/blob/main/company_totals.csv

⁴ Company appearance counts .csv here

⁵ Company totals here

⁶ Cleaned master here, Walmart appearances are rows 109 and 267

⁷ Company totals here Row 80

⁸ Tyson major plants here, Arkansas locations here filtered in Google Sheets

⁹ Compared major <u>plants</u> to Tyson totals .<u>csv</u> MH added 4.25: Missing plants: Fort Smith, North Little Rock, Scrantron, Texarkana,

¹⁰ Company site total here, Row 20

¹¹ Anonymous Tyson worker #1, audio confidential, notes here, highlighted green.

¹² Tyson Manual. Page 9, G. i, ii, J here

¹³ Company totals here

¹⁴ Anonymous Wayne Farms worker #2 fearful of COVID-19, audio confidential, notes <u>here</u>, highlighted yellow

financial situation that made it hard for them to leave¹⁵. Legal aid attorneys and worker advocacy groups said the state regulatory structure was overwhelmed by the pandemic. That, combined with a weak union presence,¹⁶ led to a failure to provide adequate protections to struggling workers, they said.¹⁷

"We got a fair number of calls from workers who were really worried about going back to an unsafe working condition," said Kevin De Liban, Director of Advocacy for Legal Aid of Arkansas. De Liban said the state does not have many protections for low-wage workers, which has led to employers taking advantage of their staff and caused workers to face regular violations of the law.

The 9,065¹⁹ reports of worker COVID-19 cases are about 3% of the 334,998²⁰ positive cases in Arkansas reported through April 27, 2021. However, virus cases in the workplace played a significant role in the story of COVID-19 in Arkansas, which has killed more than 5,700 people²¹. Workplace outbreaks were the main indicator of the pandemic's severity in the state, said Ben Amick, University of Arkansas for Medical Sciences (UAMS) associate dean of research and a professor of epidemiology.²²

"Arkansas had a different experience with the epidemic than a lot of other states," Amick said. "Early outbreaks were in workplaces or in long-term care facilities."²³

In the broader community, COVID-19 cases in Arkansas grew exponentially starting in October, which overshadowed workplaces and led to "uncontrolled spread in the community," Amick said.²⁴

Interviews with workers and advocacy groups revealed a fear of balancing the need to make a living against possible virus exposures in the workplace.²⁵

¹⁵ Anonymous George's Inc. worker #3, audio confidential, notes here
¹⁶ Magaly Licolli, Director Venceremos notes here, otter here Time: 1:54

¹⁷ Kevin De Liban, kdeliban@arlegalaid.org, (901) 834-0436, Legal Aid of Arkansas, recording here, quote at 4:53, highlighted green

¹⁸ Kevin De Liban, here, wastenmannentation of the property of t

²⁵ Anonymous Tyson worker #1, audio confidential, notes here,

"It's not easy to see so many of your coworkers become sick and know that some of them have even died²⁶," said a worker for Tyson's Chick-N-Quick in Rogers, Arkansas. The worker, who spoke in Spanish,²⁷ did not want to be identified due to concerns of possible workplace retaliation.

This worker has spent the last year working with the fear of potentially infecting their family, and their situation is similar to eight other Arkansas employees interviewed for this story. Every poultry employee Arkansascovid.com interviewed said that their company's management did not formally tell them about sick co-workers²⁸.

"It's sad and difficult because you don't know if the next person is going to be you or bring the sickness home with you, and then possibly infect your wife and children," the Chick-N-Quick worker said. "The company has honestly done nothing, nor do they care." ²⁹

Workers may have agreed about a lack of communication concerning sick colleagues, but there were varying opinions about the companies' overall pandemic control, with some expressing support for the efforts of Tyson and others to contain the virus.

"But I think Tyson, all in all, they [were] up front with us about everything, they didn't hide anything from us," said³⁰ Debra Marsh of Texarkana, Texas, who has worked at the Tyson in Hope, Arkansas, for 25 years³¹.

During the last year of the pandemic, Marsh, 59³², has not feared going to work³³, in part because she doesn't come into contact with many other workers in her position³⁴ and was comfortable with the protocols Tyson has put in place.

Throughout the pandemic, management at the Hope Tyson location implemented random COVID-19 testing³⁵; Marsh was tested twice, and both were negative.³⁶ The company³⁷ also provided Marsh with a Johnson & Johnson³⁸ vaccine on March 26³⁹.

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Arkansas obituaries that show they worked at Tyson here

Anonymous Tyson worker #1, audio confidential, notes here,

Folder with proof of every worker saying they are not notified here

Anonymous Tyson worker #1, audio confidential, notes here,

Debra Marsh, dmarsh2504@gmail.com 903-908-3097 audio here Time 4:35

Debra Marsh, dmarsh2504@gmail.com 903-908-3097 audio here Time 5:11

Debra Marsh, dmarsh2504@gmail.com 903-908-3097 audio here Time 6:47

Debra Marsh, dmarsh2504@gmail.com 903-908-3097 audio here Time 8:49

Debra Marsh, dmarsh2504@gmail.com 903-908-3097 audio here Time 8:16

Debra Marsh, dmarsh2504@gmail.com 903-908-3097 audio here Time 2:51

Debra Marsh, dmarsh2504@gmail.com 903-908-3097 audio here Time 3:12

Debra Marsh, dmarsh2504@gmail.com 903-908-3097 audio here Time 3:22

Debra Marsh, dmarsh2504@gmail.com 903-908-3097 audio here Time 12:21

Debra Marsh, dmarsh2504@gmail.com 903-908-3097 audio here Time 12:21

Debra Marsh, dmarsh2504@gmail.com 903-908-3097 audio here Time 12:21

Debra Marsh, dmarsh2504@gmail.com 903-908-3097 audio here Time 12:21
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Similar to Marsh, Eric Brown, a maintenance worker at the Tyson in Hope, said he has not feared going to work during the pandemic because Tyson management installed dividers and enforced use of masks and face shields in the workplace.⁴⁰

In January 2020, Tyson formed a coronavirus task force that implemented temperature checks, wellness health screenings, masks, social distancing and free access to COVID-19 vaccines, Derek Bursleson, a Tyson spokesperson, wrote in an email.⁴¹

"Our top priority has been and always will be the health and safety of our team members," Burleson said. "We've invested hundreds of millions of dollars for team member safety during the pandemic to transform our U.S. facilities with protective measures."⁴²

Tyson's reported 2,866 sick workers was more than four times greater than the next-most-prevalent company, George's Inc, which reported 704⁴³ sick workers. Tyson employs some 24,000 people in Arkansas⁴⁴ and whereas George's employs 7,000⁴⁵ people.

Arkansascovid.com reporters spent weeks compiling and analyzing COVID-19 workplace illness reports, which are available here and in a searchable database here. During the period from May 2020 to April 2021, the Arkansas Department of Health periodically published 80⁴⁶ reports that only included companies with five or more active cases at the time of the report⁴⁷, said Gavin Lesnik, the former public information director for Arkansas Department of Health. Data was collected from both contact tracing and business reporting of positive COVID-19 cases, although companies were not legally required to report sick workers, he said. The state health department data does not include occupational COVID-19 deaths. Arkansascovid.com reporters used the R data analysis software to extract and compile details from the 80 separate reports, producing details about the scale of the pandemic that have not been released before.

Despite worker concerns and thousands of illnesses, few workers complained to the Occupational Safety and Health Administration (OSHA), the federal agency that oversees workplace safety. From March 16, 2020 to Feb. 9, 2021, eight poultry industry complaints concerning COVID-19 were filed, four of which involved Tyson⁴⁹. During this time, there were 106 total complaints filed in Arkansas.⁵⁰

⁴⁰ Eric Brown, 903-556-2528, audio <u>here</u>, Time 1:21-1:56

⁴¹ Tyson Email here Derek Burlseon email: derek.burlseon@tyson.com # 479-651-0275

⁴² Tyson Email here Derek Burlseon email: derek.burlseon@tyson.com # 479-651-0275

⁴³ Company appearance counts .csv here 41 *7 = 287. Tyson yielded 281.

⁴⁴ Arkansas largest employers here

⁴⁵ George's employment numbers here

⁴⁶ Raw occupational reports here NEW: Every date with a report listed here

⁴⁷ Gavin Lesnik interview notes here

⁴⁸ Gavin Lesnik interview notes here

⁴⁹ Spreadsheet here

⁵⁰ Spreadsheet here

Wayne Farms LLC, a poultry plant in Danville, Arkansas, first appeared in the state health department data June 2, 2020 with 10 total cases⁵¹. From June to its last appearance in December, Wayne Farms reported a total of 230 sick workers.⁵² Assuming these would be individual cases, that would represent 30%⁵³ of its 771⁵⁴ employees. Wayne Farms spokesman Frank Singleton objected to that percentage as inflated, saying it doesn't factor in worker turnover, which he described as "massive" in the poultry industry. He did not provide details about the turnover rate, however.

One of the sick Wayne Farms workers was Willie Besinger, a maintenance employee who tested positive for the virus in December 2020. ⁵⁵ Besinger said he believed he contracted COVID-19 while on a smoke break with a co-worker at the Yell County poultry plant ⁵⁶, but he said he still feels safe at work. ⁵⁷

Besinger praised Wayne Farms for their response and for taking the pandemic seriously. "They kind of stepped up, and they [did] what was needed," he said.⁵⁸ After Besinger tested positive for COVID-19 four months ago, he stayed home from work and was paid for his time spent in quarantine.⁵⁹ Besinger said his only concern was the workers weren't informed about positive COVID-19 cases at the plant.⁶⁰

Singleton, the Wayne Farms spokesperson, said the company provides workers with personal protective equipment (PPE), sanitizing stations and dividers to help workers socially distance and protect themselves from contracting COVID-19.⁶¹ Singleton said he believes his company has done "a phenomenal job."⁶²

⁵³ Company totals here row 9, 771 employees here, 230/771 = 0.298 *100 = 29.8%, rounded to 30%

⁵¹ Wayne Farms Time .csv here, row 1 First Wayne Farms appearance here

⁵² Company totals here row 9

⁵⁴ Wayne Farms website, map shows Danville, Arkansas, with 771 employees here

⁵⁵ Willie Besinger, 479-453-0490, Wayne Farms maintenance worker, recording <u>here</u>, quote at 3:40, highlighted green

⁵⁶ Willie Besinger, 479-453-0490, Wayne Farms maintenance worker, recording <u>here</u>, quote at 3:40, highlighted green

⁵⁷ Willie Besinger, 479-453-0490, Wayne Farms maintenance worker, recording <u>here</u>, quote at 0:44, highlighted green

⁵⁸ Willie Besinger, 479-453-0490, Wayne Farms maintenance worker, recording <u>here</u>, quote at 1:00, highlighted green

Willie Besinger, 479-453-0490, Wayne Farms maintenance worker, recording <u>here</u>, quote at 6:13, highlighted green

⁶⁰ Willie Besinger, 479-453-0490, Wayne Farms maintenance worker, recording <u>here</u>, quote at 4:20-4:35, highlighted green

Frank Singleton, fes01@att.net, 678-316-4237, Wayne Farms Spokesperson, email here

⁶² Frank Singleton, <u>fes01@att.net</u>, 678-316-4237, Wayne Farms Spokesperson, audio <u>here</u>, quote at 1:23, highlighted green

Additionally, Wayne Farms' management took steps during the pandemic, such as daily infrared temperature checks for employees and visitors, completing analyses of worker outbreaks to help determine other employees who may have been exposed and or otherwise tested positive for COVID-19, and providing paid time off to employees who are directly exposed to the virus during their 14-day quarantine period.⁶³

Although Besinger said he feels safe, a line worker at Wayne Farms said he was scared of going to work, contracting COVID-19 and spreading it to his 63-year-old spouse and 13-year-old grandaughter at home.⁶⁴

"My biggest fear is bringing this stuff home to my family, and they don't care about stuff like that," the Wayne Farms worker said, who did not want to be identified due to concerns of possible workplace retaliation. "Wayne Farms cares about one thing and that's getting that chicken out of that truck and into the packages and sent off – that's all they care about."

The worker said Wayne Farms staff does not go beyond the basic Centers for Disease Control and Prevention protocols to protect the workers.⁶⁶ "They didn't want to go any farther than what they had to," the worker said. "What [the] CDC said they had to do, that's what they did, and they didn't try to make it any safer for us."⁶⁷

The state health department reports show 230 COVID-19⁶⁸ cases among Wayne Farms employees but provides no details about how these workers contracted the virus. The Arkansas Department of Health occupational reports show employment, but do not track where individuals became infected. Singleton, the Wayne Farms spokesperson, suggested some number of these workers could have contracted the virus outside of the workplace: "The data, when applied against a workplace, is only a fraction of a person's actual existence," he said⁶⁹.

In the early months of the pandemic, the CDC did an investigation⁷⁰ that found Arkansas state officials were not providing minority communities with adequate COVID-19 information in their languages, which showed a disproportionate pandemic impact. The Arkansas Hispanic community had the second-highest rate of COVID-19 infection among race and ethnic groups with 1,592 cases per 10,000 population⁷¹ as of April 27, 2021, according to the ADH.

⁶³ Frank Singleton, fes01@att.net, 678-316-4237, Wayne Farms Spokesperson, email here

⁶⁴ Anonymous Wayne Farms worker #2, audio confidential, notes here, highlighted yellow.

⁶⁵ Anonymous Wayne Farms worker #2, audio confidential, notes here, highlighted yellow.

⁶⁶ Anonymous Wayne Farms worker #2, audio confidential, notes here, highlighted yellow.

⁶⁷ Anonymous Wayne Farms worker #2, audio confidential, notes here, highlighted yellow.

⁶⁸ Company totals here row 9

⁶⁹ Frank Singleton, <u>fes01@att.net</u>, 678-316-4237, Wayne Farms Spokesperson, audio <u>here</u>, quote at 1.42, highlighted green

⁷⁰ Report <u>here</u>, Executive Summary paragraph 3

⁷¹ Race main file .csv <u>here</u>, column BG

About one-third of the poultry workers in Arkansas were Hispanic, according to a 2016 Northwest Arkansas Workers' Justice Center report⁷². Many members of this community became infected during summer 2020, when overall occupational illnesses first peaked. In June, state health data showed 1,906 infected workers, about 14% of the total 13,524 new cases statewide. Worker cases dropped to 1,459 in July, or 7% of the statewide new cases. Worker cases waned after July and through the Fall, but rose again in December during the worst of the pandemic. Even then, the 1,459 worker cases in December were 2% of the total 67,779 positive cases that month.

Similar to Wayne Farms, George's implemented basic safety protocols such as mask wearing⁷³ and plastic dividers⁷⁴ between workstations. As of 2021, George's had about 7,000⁷⁵ employees across all locations and is overshadowed by Tyson, the world's largest meat producer⁷⁶. Still, George's had the second-highest number of appearances in Arkansas COVID-19 data, which accounted for 704⁷⁷ reported sick workers, according to the Arkansascovid.com data analysis.

George's workers cited the lack of enforcement concerning social distancing measures at their workplace as a worry about contracting COVID-19⁷⁸. A worker at the George's plant in Springdale, whose name was withheld due to concerns about retaliation, shared the same sentiment about the lack of social distancing protocols, especially during shift changes. Social distancing measures are difficult to adhere to when employees are crowding around time clocks to clock in and out the George's worker said⁷⁹.

"I would estimate that by the time I enter, around seven in the morning, there are about 200 workers, 80" the George's worker said.

<u>Facing South magazine reported</u> in early December that George's management promised to add more time clocks to resolve these issues after workers raised concerns following a walkout in the Springdale facility. George's has yet to follow through with the promise, employees said.

"They kept talking about those promises but nothing has been fulfilled," the George's plant employee said. "They promised more handwashing stations, and they have done nothing. They

⁷² Report here, Page 1, "WHO ARE THE WORKERS?"

⁷³ Anonymous George's Inc. worker #3, notes here, 10:15

⁷⁴ Anonymous George's Inc. worker #3, notes here, 8:47

⁷⁵ George's employment numbers here

⁷⁶ Tyson website here under IBP Acquisition

⁷⁷ Company totals here

⁷⁸ Anonymous George's Inc. worker #4, notes <u>here</u>, 4:29 and Anonymous George's Inc. worker #3, notes here.10:04

⁷⁹ Anonymous George's Inc. worker #4, notes here, 4:56

⁸⁰ Anonymous George's Inc. worker #4, notes here, 5:06

promised they were going to put more time clocks so people wouldn't crowd, and they haven't done anything either.⁸¹"

Arkansascovid.com contacted George's Inc. on four separate occasions, but they did not respond to a request for comment⁸².

Another George's employee from Springdale, whose name was withheld due to concerns of workplace retaliation, said the company didn't fulfill promises to improve worker safety and the workers felt they were unable to speak up against such practices.

"You can't complain to HR because they are always on the company's side; it's impossible for a worker to be heard," the George's employee told Arkansascovid.com in Spanish. "For the plants and companies, no one is indispensable⁸³."

Although low-wage workers are supposed to be protected from retaliation under federal Protected Concerted Activity,⁸⁴ it does not mean that the employers necessarily follow this protocol, oftentimes leaving workers fearful to address safety concerns, De Liban said.⁸⁵

"A lot of times low wage workers are in such precarious situations, they know that they're not going to speak up, or it's going to be dangerous to speak up," De Liban said. 86

There is little financial incentive for private attorneys to take labor law cases for low-wage workers, which leaves one legal aid attorney in Arkansas to represent thousands of workers, De Liban said. These workers are at or below 125% of the federal poverty line⁸⁷, making between \$21,775 to \$55,825 a year depending on the household size and number of children, according to the U.S. Citizenship and Immigration Services 2021 Poverty Guidelines.⁸⁸

"For every one Legal Aid attorney, there are 18,000 financially eligible clients," De Liban said. 89

83 Anonymous George's Inc. worker #3, notes here, 12:27

⁸¹ Anonymous George's Inc. worker #4, notes here, 7:18

⁸² Attempted George's Inc. contact here

⁸⁴ National Labor Relations Board Protected Concerted Activity here

⁸⁵ Kevin De Liban, kdeliban@arlegalaid.org, (901) 834-0436, Legal Aid of Arkansas, recording here, quote at 3:49, highlighted green

⁸⁶ Kevin De Liban, kdeliban@arlegalaid.org, (901) 834-0436, Legal Aid of Arkansas, recording here, quote at 10:09, highlighted green

⁸⁷ Kevin De Liban, Legal Aid of Arkansas, <u>kdeliban@arlegalaid.org</u>, (901) 834-0436, recording <u>here</u>, quote at 8:49, highlighted green

⁸⁸ U.S. Citizenship and Immigration Services 2021 Poverty Guidelines here

⁸⁹ Kevin De Liban, kdeliban@arlegalaid.org, (901) 834-0436, Legal Aid of Arkansas, recording here, quote at 8:58, highlighted green

Low incentive combined with violations led low-wage workers to feel economic insecurity. As a single father of two teenagers, a George's worker said if he lost his job that he would only be able to survive financially for one month.

"There is a risk at work all the time, but you have to go to work, 90" the Springdale George's worker said in Spanish. His name was withheld due to concerns about workplace retaliation.

Arkansas poultry workers faced financial problems that compounded with the looming fear of the pandemic, which was a trend seen across several companies.

"Most of us have gone to work knowing that perhaps we are going to get infected, but we have no choice because the company has not helped us at all," a Tyson Chick-N-Quick worker told ArkansasCovid.com in Spanish.91

-- The following University of Arkansas data journalism students contributed to this report: Haley Hale, Grayson Green, Ravi Brock, Caroline Sellers, Robert Stewart, Katy Seiter, Emma Dannenfelser and Graham Smithson; UofA associate professor Rob Wells edited and contributed. Carmen Molina Acosta from the Howard Center for Investigative Journalism also contributed

Photos:

Poultry Photos, 1-4 Tyson Berry Street facility in Springdale; 5, Eric Brown, Tyson employee: Ark Poultry 1, Ark Poultry 2, Ark Poultry 3, Ark Poultry 4, Ark Poultry 5

Graphics:

Arkansas counties with COVID-19 cases by Haley Hale. https://public.flourish.studio/visualisation/5886015/ --Ravi FC

Arkansas map with worker cases by Caroline Sellers

--Robert FC

Top Arkansas counties worker cases by Caroline Sellers

https://public.flourish.studio/visualisation/5982769/

Anonymous George's worker #3, notes here, 15:11
 Anonymous worker, Chick-N-Quick, 30:05 here

https://datawrapper.dwcdn.net/NwfE2/1

Animated Map of Arkansas Worker Cases by Ravi Brock

https://drive.google.com/file/d/1_HxM4oYkdpChe6mcup0Ods5NSA6IWn74/vjew?usp=sharing

Haley

- Everything appears to be correct here

Companies with 200+ Worker Illnesses by Mary Hennigan

Companies with 200+ Worker Illnesses
UPDATED APRIL 29 AFTER ADAM TALK

--Graham

- On github here

COVID Worker Illnesses in Arkansas by Rob Wells

https://www.datawrapper.de/_/N2CYu/

--Haley

-Went through the data, and everything appears correct

Tyson Berry Street COVID Illness Chart by Mary Hennigan

Tyson Berry Street Time Series

UPDATED APRIL 29 AFTER ADAM TALK

--Caroline

On github here

-went through and everything appears correct

COVID-19 Cases per 10,000 Race, Ethnicity Population by Mary Hennigan https://public.flourish.studio/visualisation/5973343/

UPDATED APRIL 29 AFTER ADAM TALK

- --Abby
- On github here

Use New Data - revise

Worker Illnesses by Month by Mary Hennigan

https://public.flourish.studio/visualisation/5925837

UPDATED APRIL 29 AFTER ADAM TALK

- --Gravson
- On github here

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