

## Essential but Excluded:

### Why Food Sector Workers Need Paid Sick Leave in the Context of COVID-19

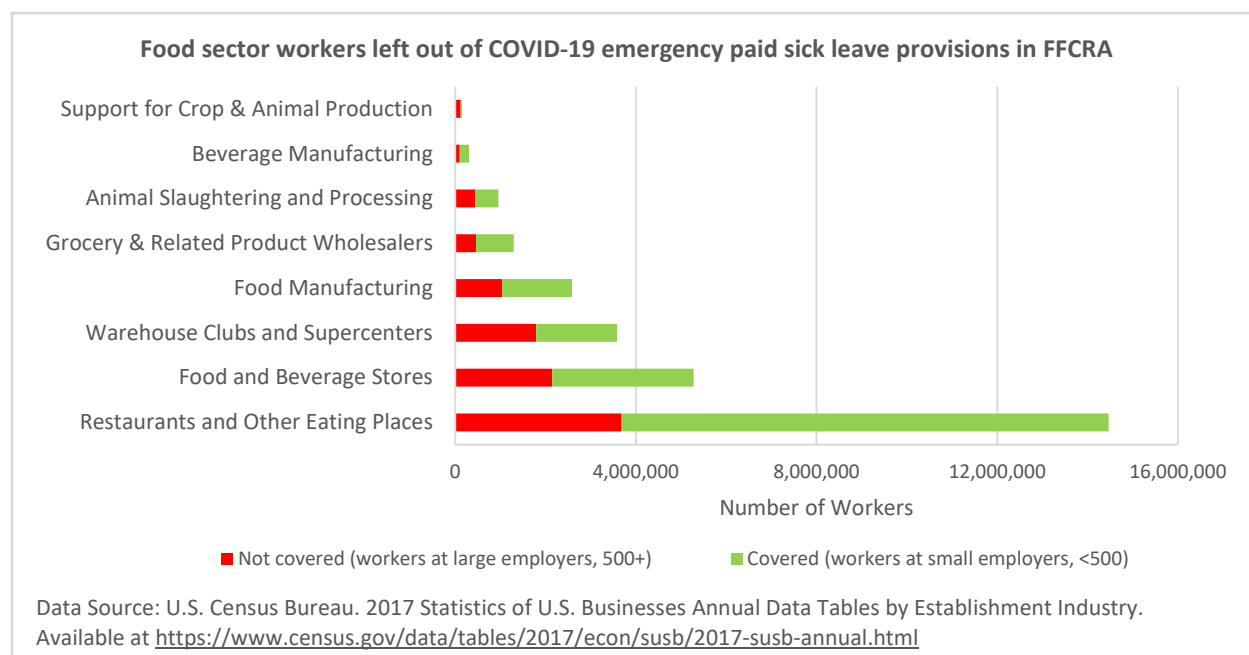
The workers sustaining our nation’s food system are not being adequately protected during the COVID-19 pandemic. From farms to grocery stores to meatpacking plants, workers report lack of access to personal protective equipment and inadequate social distancing measures. Thousands of food sector workers have become ill, with nearly 5,000 cases among meatpacking workers alone by April 2020.<sup>1</sup> Meanwhile, workers across the food chain continue to be denied paid sick leave.

The Families First Coronavirus Response Act (FFCRA) was the first ever national legislation guaranteeing paid sick leave benefits to American workers. But the act excluded firms with more than 500 employees.<sup>2</sup> Many sectors of the food industry are highly consolidated, meaning large segments of this essential workforce are excluded from receiving paid sick leave from the very firms most able to afford it. This presents risks to both workers and their communities, as workers are incentivized to continue working even if sick or exposed.

Low-wage food workers are already experiencing disparate impacts of the pandemic, as they disproportionately face food insecurity, lower rates of health insurance, and unsafe working conditions. More comprehensive paid sick leave is therefore needed to stop the spread of COVID-19 and to keep food workers safe and healthy—during COVID-19 and beyond.

#### *At least 9.7 million food sector workers were left out of COVID-19 emergency paid leave provisions under the Families First Coronavirus Response Act*

Data from the U.S. census estimate that approximately half of all food sector workers were excluded by the FFCRA loophole. This includes 3.7 million restaurant workers, 2.1 million workers in food and beverage stores (e.g., grocery retail), 1.8 million workers at warehouse clubs and supercenters, 1 million in food manufacturing, over 400,000 each in grocery wholesale and meatpacking, and around 100,000 workers in both crop and animal production and beverage manufacturing.



## *Lack of protections for food sector workers could worsen inequities in the wake of COVID-19*

Many food sector employees are considered essential workers, and their position on the front lines of the pandemic increases their risk of exposure to COVID-19. As noted above, such workers disproportionately face low wages, lack of access to health care, food insecurity, and unsafe working conditions.

Latinos, African Americans, and immigrants are disproportionately represented in some of the riskiest food sector jobs. For example, 64% of farm laborers and 35% of workers in animal slaughtering and processing are Hispanic (compared with 18% of the overall workforce);<sup>3</sup> 22% of workers in animal slaughtering and processing are Black, compared with 12% of the overall workforce;<sup>4</sup> and at least 19% of workers in foodservice, 29% in food processing, and 43% of agricultural workers, graders, and sorters are foreign-born (compared with 14% of the overall workforce).<sup>5</sup> Workers of color are also more likely to work in lower wage roles, and even face pay gaps compared with their White or native-born counterparts within the same occupations.<sup>6</sup>

Data from March and April 2020 reveal the disproportionate and tragic toll the pandemic is taking on low-income families, immigrants, and communities of color in the U.S. One survey found that job and income losses during the COVID-19 pandemic were significantly more prevalent among the families of low-income and Hispanic adults—57% of Hispanic families and 51% of families with income at or below the federal poverty level (FPL) lost jobs, work hours, or work-related income because of the coronavirus outbreak compared with 38% of non-Hispanic white families and 32% of families making 400% of FPL or more.<sup>7</sup> The same report found that low-income, Hispanic, and Black adults were more likely to report that their families reduced food spending, delayed major purchases, or used savings or increased credit card debt during the past 30 days than higher income or non-Hispanic White families. And barriers to accessing health care and nutrition assistance place both documented and undocumented immigrants at a crucial disadvantage.<sup>8 9 10</sup>

Workplace protections for frontline food workers, including access to paid sick leave, can play a role in addressing the unequal impacts of COVID-19 on immigrants and communities of color. Failure to provide these protections will serve to perpetuate these inequities.

## *Paid sick leave protects workers and communities*

The President's Coronavirus Guidelines for America tell essential workers, including food workers, they have a "special responsibility" to maintain a normal work schedule.<sup>11</sup> But for low-wage workers without paid sick leave, continuing to work is a matter of necessity, not responsibility. These employees are forced to choose between working sick or losing pay. For a low-income family living paycheck to paycheck, lost wages could be devastating. Unsurprisingly, over half of food workers report coming to work sick.<sup>12</sup>

Paid sick leave is critical for workers and communities. Food workers such as cooks, food processing workers, and meatpacking workers often work in busy, crowded spaces. When workers in these industries come to work sick, illness can spread across their coworkers and communities. This has contributed to disastrous outbreaks of COVID-19 in meatpacking plants and other food processing facilities across the U.S., which has led to thousands of cases, numerous deaths, and some of the highest per capita rates of infection in the country in communities with meatpacking plants.<sup>13</sup> Many of these plants declined to offer paid sick leave, or only started offering leave to workers with symptoms of coronavirus after the virus had already spread throughout the workforce.<sup>14 15</sup>

Workers' access to paid sick leave is also critical for consumers, who may come into contact with workers or the food they handle. While coronavirus is not foodborne, many other illnesses are. Hundreds of foodborne illness outbreaks each year result from illness passed from workers to consumers through the food they harvest, prepare, serve, or sell.<sup>16</sup>

## ***Paid sick leave is needed to keep all food workers safe and healthy—during COVID-19 and beyond!***

***For more information, please contact Eva Greenthal at [egreenthal@cspinet.org](mailto:egreenthal@cspinet.org).***

---

<sup>1</sup> Dyal JW, Grant MP, Broadwater K, et al. COVID-19 Among Workers in Meat and Poultry Processing Facilities — 19 States, April 2020. *MMWR Morb Mortal Wkly Rep* 2020; 69:557–561.

<sup>2</sup> Families First Coronavirus Response Act. P.L. 116-127.

<sup>3</sup> U.S. Bureau of Labor Statistics. *Labor Force Statistics from the Current Population Survey*. 2020. <https://www.bls.gov/cps/cpsaat18.htm>. Accessed May 27, 2020.

<sup>4</sup> U.S. Bureau of Labor Statistics, 2020.

<sup>5</sup> Matrix of native and foreign-born workers in varying industries. December 2018. U.S. Census Bureau. 2018.

<https://data.census.gov/mdat/#/search?ds=ACSPUMS1Y2018&cv=NATIVITY&rv=OCCP&wt=PWGTP>.

<sup>6</sup> Liu YY, Apollon D. *The Color of Food*. Applied Research Center. 2011. [http://foodchainworkers.org/wp-content/uploads/2011/05/Color-of-Food\\_021611\\_F.pdf](http://foodchainworkers.org/wp-content/uploads/2011/05/Color-of-Food_021611_F.pdf). Accessed May 27, 2020.

<sup>7</sup> Karpman M, Zuckerman S, Gonzalez D, et al. *The COVID-19 Pandemic Is Straining Families' Abilities to Afford Basic Needs*. Urban Institute. 2020. <https://www.urban.org/research/publication/covid-19-pandemic-straining-families-abilities-afford-basic-needs>. Accessed May 27, 2020.

<sup>8</sup> Kaiser Family Foundation. *Health Coverage of Immigrants*. 2020. <https://www.kff.org/disparities-policy/fact-sheet/health-coverage-of-immigrants/>. Accessed May 27, 2020.

<sup>9</sup> American Federation of Labor-Congress of Industrial Organizations. *COVID-19 and Immigrant Workers*. 2020. <https://aflcio.org/covid-19-and-immigrant-workers>. Accessed May 27, 2020.

<sup>10</sup> Jordan M. 'We're Petrified': Immigrants Afraid to Seek Medical Care for Coronavirus. *The New York Times*. March 18, 2020.

<https://www.nytimes.com/2020/03/18/us/coronavirus-immigrants.html>. Accessed May 27, 2020.

<sup>11</sup> The White House. *The President's Coronavirus Guidelines for America*. 2020. [https://www.whitehouse.gov/wp-content/uploads/2020/03/03.16.20\\_coronavirus-guidance\\_8.5x11\\_315PM.pdf](https://www.whitehouse.gov/wp-content/uploads/2020/03/03.16.20_coronavirus-guidance_8.5x11_315PM.pdf). Accessed May 27, 2020.

<sup>12</sup> Intertek Alchemy Systems. *Mind of the Food Worker*. 2020. <https://www.alchemysystems.com/content/research/mind-of-the-food-worker/>. Accessed May 27, 2020.

<sup>13</sup> The New York Times. Coronavirus in the U.S.: Latest Map and Case Count. May 27, 2020. <https://www.nytimes.com/interactive/2020/us/coronavirus-us-cases.html>. Accessed May 27, 2020.

<sup>14</sup> Narea N. Trump is keeping meatpacking plants open — but employees are scared to show up for work. *Vox*. April 30, 2020.

<https://www.vox.com/2020/4/30/21241167/meatpacking-workers-coronavirus-tyson-smithfield>. Accessed May 27, 2020.

<sup>15</sup> Telford T, Kindy K. As they rushed to maintain U.S. meat supply, big processors saw plants become covid-19 hot spots, worker illnesses spike. *The Washington Post*. April 25, 2020. <https://www.washingtonpost.com/business/2020/04/25/meat-workers-safety-jbs-smithfield-tyson/>. Accessed May 27, 2020.

<sup>16</sup> Centers for Disease Control and Prevention. Food Workers Working While Sick. December 5, 2016.

<https://blogs.cdc.gov/yourhealthyenvironment/2016/12/05/food-workers-working-while-sick/>. Accessed May 27, 2020.

May 2020