

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

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

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

Subdivision 1. **Definitions.** For the purposes of this section and section 179.87:

(1) "employer" means any person or business entity having 25 or more employees
in the meatpacking industry; and

(2) "meatpacking industry" means business operations in which slaughtering,
butchering, meat canning, meat packing, meat manufacturing, poultry canning, poultry
packing, poultry manufacturing, pet food manufacturing, processing of meatpacking
products, or rendering is carried on. Meatpacking products include livestock and poultry
products.

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

(1) adequate and working restroom facilities;

(2) adequate room for meal and rest breaks;

(3) adequate locker facilities; and

(4) adequate time for necessary restroom and meal breaks as required under chapter
177; United States Code, title 29, chapter 15; and United States Code, title 42, chapter
126, or a valid collective bargaining agreement.

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

An employer must make ongoing skill development and training opportunities, including supervisory training, available to employees.

Subd. 4. **Information provided to employee by employer.** (a) An employer must provide an explanation in an employee's native language of the employee's rights and duties as an employee either person to person or through written materials as required by state or federal law, or a valid collective bargaining agreement that, at a minimum, includes:

(1) a complete description of the salary and benefits plans as they relate to the employee as required under chapter 181;

(2) a job description for the employee's position as required under chapter 181;

(3) a description of leave policies as required under chapter 181 and United States Code, title 29, chapter 28;

(4) a description of the work hours and work hours policy as required under chapter 181, United States Code, title 29, chapter 201, or a valid collective bargaining agreement; and

(5) a description of the occupational hazards known to exist for the position as required under chapters 181 and 182 and United States Code, title 29, chapter 15.

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

(1) the right to organize and bargain collectively as required under this chapter and chapter 177, and United States Code, title 29, chapter 7;

(2) the right to a safe workplace as required under chapters 181 and 182 and United States Code, title 29, chapter 15; and

(3) the right to be free from discrimination as required under this chapter and chapters 181, 182, and 363A, and United States Code, title 42, chapter 21.

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

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

Sec. 2. [179.87] MEATPACKING INDUSTRY WORKERS RIGHTS OMBUDSMAN.

3.1 Subdivision 1. **Position established.** The position of meatpacking industry workers
3.2 rights ombudsman is established within the Department of Labor and Industry. The
3.3 ombudsman shall be an employee of the department. The ombudsman shall be appointed
3.4 by the commissioner in consultation with the chairs of the standing committees of the
3.5 senate and house of representatives with jurisdiction over labor and employment issues in
3.6 accordance with the preference established in subdivision 5.

3.7 Subd. 2. **Duties.** The ombudsman shall inspect and review the practices and
3.8 procedures of meatpacking operations in the state. The ombudsman shall work to ensure
3.9 workers rights under section 179.86 are protected.

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

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

3.16 Subd. 5. **Language preference.** Preference shall be given to applicants for the
3.17 ombudsman position who are fluent in languages in addition to English.

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

3.22 **Sec. 3. APPROPRIATION.**

3.23 \$..... in fiscal year 2008 and \$..... in fiscal year 2009 are appropriated from
3.24 the general fund to the commissioner of labor and industry for the operation of the
3.25 meatpacking industry workers rights ombudsman under Minnesota Statutes, section
3.26 179.87.