BY LAUREN KAORI GURLEY

TREATED LIKE MEAT

Workers describe “extreme” sexual harassment on Smithfield Foods’ meatpacking lines
Smithfield Foods’ 2,000-employee bacon and sausage packaging plant in Smithfield, Va., sits a mile down the road from the company’s stately corporate headquarters and flagship restaurant, Taste of Smithfield, a tourist-friendly establishment known for its smoked pork brioche sandwich, Virginia craft beer and “piglets” menu for kids under 12.

Near the meatpacking plant on Church Street, the stench of bacon and hog excrement hangs in the air. Jenny (not her real name), a 37-year-old single mother with two young daughters, is lighting up a Marlboro before a 10-hour shift. “Everybody here is miserable as shit, unless you’re one of the higher-ups,” she tells me later over the phone.

Jenny describes the plant floor as having a “male-dominated atmosphere.” Her male coworkers joke that she needs “to get laid.” And behind closed doors, supervisors regularly make crude sexual jokes about her coworkers, says Jenny, who was a crew leader. Despite her urge to “raise hell,” she rarely reports the mistreatment she sees from supervisors.

“I’m not willing to put myself in a position to lose my job,” she says. Like many low-wage workers, Jenny lives paycheck to paycheck. She had to take out a personal loan to replace her car battery just so she could get to work. (Jenny quit her job at Smithfield in May, after we spoke, because her pay dropped from $17 to $15.20 an hour.)

“No one ever feels comfortable reporting stuff because it usually backfires,” Jenny wrote to In These Times. Workers are frequently disciplined and fired by supervisors who hold “grudges,” she says.

In late May 2018, nine other women at the plant where Jenny works sued Smithfield Foods, the largest pork processor in the world. Several of the lawsuits charged that plant supervisors had engaged in “the most extreme acts of sexual harassment.”

The women worked in the retail bacon PHOTOS BY DAYTONA LAMADE
division, the microwave bacon department and the kill floor. They alleged that, for years, supervisors brushed their genitals against them and grabbed their breasts and buttocks; promised a promotion and even a “cheap car” in exchange for sexual liaisons; and prodded the women for sexual favors such as fellatio and a lap dance.

One worker, Marquesses Foreman, alleged she was harassed on a weekly basis for more than a year, between 2014 and 2016, and that her supervisor showed her a photo of his penis, hit her with rolled-up paper and touched her breasts. He allegedly told Foreman, who is black, that he should fire all of the black workers and replace them with Mexicans who “could get the job done for less pay.” Because of her supervisor, Foreman suffered “significant mental anguish, pain, suffering, emotional distress, loss of sleep [and] humiliation,” according to lawsuits.

Another worker, Tamika Day, alleged that her supervisor called her a “whore,” “bitch” and “slut,” and told her “you slept your way to where you are,” and “you fucked in order to get your promotion.” Day said that after she complained to Smithfield’s human resources department in 2015, the slurs and insults multiplied, and human resources cut her hours.

In fact, four of the women claimed HR reduced their hours after they reported harassment. Foreman allegedly lost 20% of her income from the reduced schedule.

Three of the women were allegedly fired after reporting harassment. In four of the complaints, HR allegedly took no action to address the harassment, while in one case, it took months.

Like most other sexual harassment lawsuits filed under Title VII of the 1964 Civil Rights Act, these lawsuits never came before a jury. Five months after filing, in late October, the nine women resolved their complaints with Smithfield outside of court—a route often pursued by large corporations to avoid negative publicity. No settlement amount was disclosed.

The women and their lawyers did not respond to In These Times’ interview requests, but 12 current and former Smithfield workers from two of the largest plants in the Southeast agreed to talk. The workers—women and men—ranged in age from 25 to 67. All but one requested pseudonyms for fear of retaliation by Smithfield or future employers.

A few of the workers at the Virginia plant said Smithfield initiated mandatory training about sexual harassment in the wake of the lawsuits. Jenny said her class was about 15 minutes and included a slideshow on how to report harassment. “It was really just so generic,” she said. “It was honestly so we could just get in there and sign a paper verifying we were at the training.”

Ten of the 12 said they had either experienced, witnessed or were aware of line supervisors perpetuating a toxic culture of harassment, including sexual comments, unwanted touching, coercion, retaliation or favoritism. Many workers interviewed believed complaining to the company would be useless. Management, they said, valued supervisors who could meet high production quotas, regardless of how they treated workers.

The Smithfield plant in Virginia is not the only one

Above: A sign welcomes visitors to Smithfield, Va., where Smithfield Foods has its headquarters and a 2,000-worker meatpacking plant. Right: Workers at the plant cross the street during a 7 a.m. shift change on February 13.
that has faced sexual harassment complaints. In the past decade, workers have filed at least 11 lawsuits against Smithfield alleging sexual harassment in both union and nonunion work sites in Virginia, California, Kentucky, North Carolina, South Dakota and Texas. Four of the cases were dismissed, six were settled and one is ongoing.

At Smithfield’s 4,400-worker plant in Tar Heel, N.C., the single largest pork plant in the world, a supervisor named Lisa Cooper alleged in a 2013 lawsuit that her boss sexually harassed her for four years and “threatened to kill” her if “she continued to report him to upper management.”

Cooper nonetheless reported him to HR, then quit shortly after in fear of more harassment. In 2018, a federal appeals court dismissed her suit on the grounds that, in quitting, she failed to give Smithfield time to respond.

Sala Naambwe, a 46-year-old Congolese refugee working at a Smithfield subsidiary in Sioux Falls, S.D., alleged in a 2017 suit that management mocked her, isolated her and increased her workload after she told them that her coworkers called her a “monkey” and a “bitch,” and sexually harassed her. The case is ongoing.

THE MOST VULNERABLE WORKERS

ASKED ABOUT ALLEGATIONS OF SEXUAL harassment at its plants, Smithfield’s executive vice president of corporate affairs and compliance, Keira Lombardo, pointed to Smithfield’s code of business ethics, which promises “the right to work free from harassment” including sexual advances and slurs.

“Each and every employee has pledged to uphold these standards upon joining the company, and violations of these standards are unacceptable and immediately dealt with,” wrote Lombardo. “We also provide employees with methods to report ethics concerns or violations, which are reviewed, investigated and responded to accordingly.” Lombardo described trainings on “legally protected rights” as “regular” and “substantive,” lasting longer than 15 minutes.

Of the lawsuits, she said, “Companies of our size do get sued. None of the litigation that you list has been determined to have merit. ... We took the [May 2018] allegations very seriously and carefully investigated each of them. We did not find any of the allegations to be substantiated.”

It’s true that Smithfield Foods is not alone in facing sexual harassment suits. A survey of public records
The supervisor harasses new hires, especially young women, asking them for their numbers and to go on dates, and telling them if they report it to upper management, he will deny it.

shows a number of suits against other industry giants like Tyson Foods, National Beef and Cargill Meat Solutions. The Koch Foods poultry plants in Morton, Miss., where about 680 workers were detained by Immigration and Customs Enforcement (ICE) in early August, settled a $3.75 million sexual and racial harassment lawsuit in 2018. The complaint alleged that supervisors “touched and/or made sexually suggestive comments to female Hispanic employees, hit Hispanic employees,” and then fired workers who complained.

But experts say that sexual harassment is typically underreported, not overreported. Across all industries, workers tend to stay silent because the risks of reporting often outweigh the benefits. The Equal Employment Opportunity Commission (EEOC) estimates that three out of four women who speak out about sexual harassment at work face punishment. According to Bernice Yeung, author of In a Day’s Work: The Fight to End Sexual Violence Against America’s Most Vulnerable Workers, workers like those in the meatpacking industry, who are disproportionately immigrants and tend to work for subsistence wages, are especially unlikely to report.

Undocumented workers are also especially likely to be harassed, Yeung says, and studies have found that workplaces with a high ratio of men to women have higher rates of harassment. Four in 10 U.S. meatpacking workers are women.

To date, there has been only one study of sexual harassment in the U.S. meatpacking industry, which employs 180,000 workers. In an informal 2009 survey of women in Iowa’s meatpacking plants by ASISTA Immigration Assistance and Iowa Coalition Against Sexual Assault, 85% said they had experienced or witnessed sexual violence at work.

GOBBLING UP THE PORK INDUSTRY

IF YOU’VE EVER PURCHASED PORK from a major supermarket, chances are good that it came from Smithfield. Smithfield owns 12 brands of bacon, ham, sausage, salami, chorizo, bologna, prosciutto, ribs, pepperoni and meatballs, which come labeled or white-labeled (overlaid with the supermarket’s brand) at grocery stores in all 50 states, including Walmart, Sam’s Club and Target. Smithfield also supplies the pork for the McDonald’s McRib sandwich and Nathan’s hot dogs. With 40,000 workers in the United States, and more than 40 pork-packaging plants across 20 states, Smithfield controls 26% of the U.S. pork-processing market.

Founded in Virginia in 1936, Smithfield came to dominate the pork industry in the 1990s by mimicking what Tyson Foods did to the chicken industry in the 1980s. Smithfield bought up competitors and streamlined its production lines, driving small hog farmers out of business, writes journalist Christopher Leonard in The Meat Racket: The Secret Takeover of America’s Food Business. Smithfield similarly devastated small hog farms in Mexico, according to Chad Broughton’s Boom, Bust, Exodus: The Rust Belt, the Maquilas and a Tale of Two Cities. Between 1990 and 2005, Smithfield grew by 1,200%.

By the 1990s, the face of pork-packaging in the United States had already shifted from the northern union strongholds of Milwaukee and Chicago (famously depicted in Upton Sinclair’s The Jungle) to the Southeast, where wages remained low and anti-union sentiment ran deep among conservative lawmakers. (North Carolina and South Carolina are tied for the lowest unionization rate in the country, at 2.7%) In the mid-1990s, meatpacking companies actively recruited peasants in Veracruz, Mexico, driven off their land following the passage of NAFTA, to work without visas in North Carolina. Hundreds of migrants from Veracruz found work in Smithfield’s Tar Heel plant, according to a 2012 report in The Nation.

In 1993, Tar Heel workers launched a union campaign often described as one of the bitterest in modern U.S. history. Police in riot gear lined the entrance of the plant during a failed 1997 union election. Smithfield made “conscious efforts to pit African-American workers against Latinos and undocumented workers against those with legal status” to derail the drive, according to a Tufts University policy brief. (Smithfield’s Lombardo says that the company does not knowingly employ undocumented workers and “would never ‘pit’ any of our workers against one another.”) In
2008—after 15 years and two failed attempts—Smithfield workers in Tar Heel voted to unionize with the United Food and Commercial Workers (UFCW).

By 2005, one in four meat-processing workers were undocumented, according to the Pew Hispanic Center, and the Tar Heel plant was no longer majority African American and Native American, but predominantly Latinx. Following a series of ICE raids in the late 2000s, African Americans came to outnumber Latinxs once again in Tar Heel. Despite the industry’s reputation for grueling, male-dominated work, women make up nearly half the workers in departments at certain Smithfield plants, including bacon slice, cut floor and loin boning.

“TIME IS MONEY”

IF SMITHFIELD HAS FAILED TO PROTECT women from sexual harassment on its meatpacking lines, the reasons are closely linked to the demands of mass production. Plants that slaughter and process up to 35,000 hogs a day, like the Tar Heel plant, require a sophisticated level of coordination and worker control. Smithfield supervisors—typically men—face intense pressure and scrutiny from plant managers and superintendents (higher-level supervisors) to meet production quotas. One worker, Anna (who is a union steward and was comfortable using her real first name), says she is expected to cut a sirloin about every seven seconds on the loin-boning line.

Keith Ludlum, the former union president of the Smithfield plant in Tar Heel, tells me at his father’s chicken farm several miles down the highway that, “If a supervisor doesn’t meet their quota or they’re having issues, the superintendent takes them behind closed doors and reams them.”

Given the mediocre pay—roughly $36,000 a year, according to Glassdoor—and high pressure of supervisor jobs, Ludlum says, it’s difficult to retain people willing and capable of supervising production at Smithfield plants. (A college degree is preferred but not required for supervisors.) Because of this, he says, Smithfield’s human resources department often looks the other way when supervisors and superintendents
harass or abuse workers on their lines. "The management is all about production—numbers," he says. "They understand that they can't have supervisors doing certain things, but if it's something they can overlook because it's a good superintendent who gets everything done, then they will do it."

Monica (a pseudonym) is 47 and has worked at Smithfield since the late 1990s. Talking to HR "is like talking to that door," she says, gesturing at the front door of an Arby's and shaking her head as she sips a strawberry milkshake.

Monica measures out 12- and 16-ounce stacks of bacon moving down the assembly line for $16 an hour, and takes a daily cocktail of medications to ease the physical and emotional toll.

Monica says HR has repeatedly ignored complaints from her and her co-workers about their supervisor in the retail bacon department—one of the departments named in the 2018 lawsuits against the Virginia plant. The supervisor harasses new hires, especially young women, she says, asking them for their numbers and to go on dates, and telling them if they report it to upper management, he will deny it. He also gives "women he wants to sleep with" special perks like more approved absences, Monica says. Since our initial interview, Monica says this supervisor has been moved out of her department. Things have gotten better, she says.

Bathroom breaks are a point of tension between workers and supervisors. In October 2018, a video of a Smithfield worker unzipping his pants and peeing on the production line in Virginia went viral, sending the internet into brief outrage over Smithfield's health standards. Anna, the shop steward, says Smithfield asks line workers at the Tar Heel plant to request bathroom breaks 30 minutes in advance. "Since we're in production, time is money," she says. "It's ridiculous. How am I supposed to know if I need to go to the bathroom in 30 minutes?"

As for absences, meatpackers at the Virginia plant are only allowed six each year. Workers are fired for missing work due to unavoidable circumstances such as extreme weather conditions or illness, even if documented with a doctor's note, according to testimony from several workers.

"I'm so sick of that place; I don't know what to do," says Monica. Her friend, who also works at Smithfield, nods along. Smithfield denies all of the workers' allegations of harassment and unfair bathroom break and leave policies, saying the company complies with OSHA and FMLA regulations.

A few workers said they are happy with their jobs at Smithfield. For those who were not, such as Monica, the thing keeping them there was, of course, money. The union plants pay line workers between $14 and $18 an hour with benefits, an improvement from the $7.25 minimum wage offered at many of the fast-food restaurants and dollar stores prevalent in the rural Southeast that hire workers out of high school.
"BLOOD, SWEAT AND TEARS"

BEYOND SEXUAL HARASSMENT

and strict break and leave policies, the demands of meeting production quotas and keeping up the line speed have physical implications.

Several of the women interviewed by In These Times had undergone hand surgeries. Anna began working at a Smithfield plant two-and-a-half years ago, after divorcing her husband on the West Coast, where she worked on an Army base. Anna cuts pork sirloins on the loin-boning line and has had her hands operated on twice for carpal tunnel and once for trigger finger, surgeries that were covered by workers' compensation. She soaked her hands in Epsom salts at night to ease the pain. Before the surgeries, "my pain was excruciating," she told me, running her fingers over a long scar on the palm of her hand at her apartment on the edge of a sprawling city in North Carolina.

Some Smithfield injuries have been fatal. On Oct. 9, 2018, Michael Jessup, a 55-year-old mechanic at the Tar Heel plant, was repairing a conveyor belt when he died from "a puncture wound to the sternum area," according to a report from the local sheriff's office. Smithfield's Lombardo called this description "inaccurate" (but was unable to provide further detail) and stressed that Smithfield has "consistently outperformed our industry peers" on safety.

"One thing I have learned in dealing with all of this is no one actually gives a fuck, and no matter how hard we work, no matter the blood, sweat and tears, no one cares," Jenny wrote to In These Times. "The buck will always be passed and the poor person will always lose."

Carol Adams, author of The Sexual Politics of Meat: A Feminist-Vegetarian Critical Theory and a feminist scholar who has written extensively on the meat industry, sees the devaluation of lives at Smithfield—both those of hogs and those of workers—as closely linked forms of capitalist exploitation. "There's a numbing effect in meatpacking work that benefits the producer," Adams says. "The entire plant is about not caring. It's the industrial model of alienation from yourself and your coworkers, so you can do that work."

Ludlum, the former union president at the Tar Heel plant, agrees: "When you're used to seeing dead animals, animals killed, animals coming in mutilated, crippled, blood, guts, meat—when you see this every day, you become somewhat numb, even to your coworkers. It amazes me what the human mind will accept."

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"There's a numbing effect in meatpacking work that benefits the producer. The entire plant is about not caring. It's the industrial model of alienation from yourself and your coworkers, so you can do that work."

—CAROL ADAMS

A KAFKAESQUE COMPLAINT SYSTEM

TO GET AROUND UNRESPONSIVE HR DEPARTMENTS, WORKERS CAN FILE COMPLAINTS WITH THE EEOC, THE FEDERAL AGENCY TASKED WITH ENFORCING SEXUAL HARASSMENT LAWS. THE EEOC HAS BEEN CRITICIZED FOR ITS RESPONSE TO COMPLAINTS, BUT THE AGENCY REMAINS THE BEST OPTION FOR WORKERS WHO WANT TO TAKE ACTION AGAINST THEIR EMPLOYERS.

"It's a big commitment of time," says Anna Park, the lead EEOC lawyer in the Los Angeles area who represents low-wage workers in sexual harassment cases. "If you're worried about your next paycheck and feeding your family, this is not your priority. Low-skilled workers are less likely to come forward. They feel like they won't be believed, or that they'll be retaliated against."

"Bureaucracy is the key word with the EEOC," says Bernice Yeung. "The EEOC is really dedicated to working with low-wage workers. They've done lots of training with employers who hire low-wage workers, but attorneys and workers have been frustrated with how long the legal process takes."

Since 2016, sexual harassment complaints filed with the EEOC have increased by 12%, largely in response to the #MeToo movement. But more than half of these cases are dismissed by the EEOC for lacking "reasonable cause"—sufficient evidence for the agency to take on a case. That determination can take months. The EEOC
"Unions are just a microcosm of our culture, and even if women are in leadership positions, the cultural norm is such that these traditions of harassment are not being taken seriously."

—KC WAGNER

requires evidence that harassment occurred, which can include formal complaints or testimony from witnesses. The agency also assesses the credibility of the accuser and the witnesses. At the same time, it investigates whether an employer properly handled a case—whether it kept records and interviewed the alleged abuser and other witnesses. Of cases the EEOC does take, most settle without going to trial.

Critics complain that the EEOC deters victims of sexual harassment from filing lawsuits and puts pressure on workers to settle out of court—which nearly always involves nondisclosure agreements that some argue protect employers and silence victims.

Yeung says that some women in low-wage industries initially felt left out of the #MeToo movement despite their own decades of struggle against sexual harassment. "When #MeToo started, it was women in glamorous professions, and there was a sense of frustration especially among [low-wage workers]," she says.

Over time, #MeToo has become more inclusive and picked up traction among unions and worker centers representing low-wage workers, Yeung says. "We're seeing an expansion of the conversation. We're seeing hotel workers, domestic workers, janitors and the Coalition of Immokalee Workers taking the initiative to demand change."

POWER IN A UNION

UNIONS CAN PROVIDE AN IMPORTANT mechanism for defending workers who are sexually harassed by their supervisors. Contracts can include language protecting workers from sexual harassment, allow workers to file grievances, mandate sexual harassment training for supervisors and require that employers create antiharassment policies. Union stewards can then be selected and trained to handle sexual harassment grievances.

Left: A plethora of Smithfield products are sold in supermarkets.
and encourage workers to speak out.

But whether sexual harassment policies and protections are effective in protecting workers varies by union local and is largely determined by the local's culture.

"The biggest challenge is in traditionally male industries," says KC Wagner, director of workplace issues at Cornell University's labor school, who leads sexual harassment trainings around the country.

"Unions are just a microcosm of our culture, and even if women are in leadership positions, the cultural norm is such that these traditions of harassment are not being taken seriously."

Ludlum says that, when he was president of his local in Tar Heel, he would receive complaints about supervisors inappropriately touching women and bring them before management, at least once resulting in a supervisor being moved out of the department. (Ludlum, a leader of the initial union drive, was removed from the presidency in 2015 after a UFCW audit found that he had embezzled $216,344 from the union. Ludlum disputes the charges and has sued UFCW for defamation.)

Leadership at the UFCW and Teamsters locals representing Smithfield workers in North Carolina and Virginia, respectively, did not return calls to speak about sexual harassment at their plants. A press spokesperson for the International Brotherhood of the Teamsters said only that the Smithfield local "works closely with our members ... to ensure a safe, harassment-free work environment." The current UFCW contract at the Tar Heel plant does not have a clause about sexual harassment; In These Times was unable to obtain a copy of the Teamsters contract.

But Anna, the UFCW steward at the Tar Heel plant, did tell In These Times that women stewards at the plant have begun monthly meetings to discuss sexual harassment prevention. She also says she recently assisted in a sexual harassment complaint. Smithfield Foods' Lombardo says that it has received no "recent or pending" sexual harassment grievances from unions at any of its plants.

Some of the Tar Heel workers interviewed were grateful for UFCW's work fighting for fired workers. Thanks to the union, one worker said, she was rehired with 3.5 months back pay after a wrongful termination.

Several workers interviewed at the Virginia plant, however, complained that their Teamsters union only served to drain their paychecks. Monica doubts the union leadership's willingness to fight for workers on sexual harassment issues, or any other concerns. "They don't pick up the phone, and half the time they don't call you back," she says. Monica and another worker interviewed had opted out of the union entirely, which was possible because of Virginia's right-to-work law.

The union "doesn't do too much of nothing," says Michelle (a pseudonym), a 47-year-old with chronic health issues. She says she was fired from the Virginia plant in November 2018 after leaving early during a vertigo spell. She cites her frustration over the six-day absence policy, saying she had been written up for arriving late to work after her nephew's funeral. She says the union did not help her get her job back. Getting written up for an absence is "at the discretion of the supervisor," she says. "If you're not chummy with the supervisor, you really don't have a job ... But life happens. People get sick."

KC Wagner says that many unions across the country are making enormous strides to educate workers about sexual harassment, beginning to treat it as a "bread-and-butter issue" alongside wages, benefits and job security. In the wake of #MeToo, the AFL-CIO led the way with a wealth of resources, workshops and campaigns for members to implement at the local level.

"In an anti-union climate, it's incredibly important for unions to seize this [#MeToo] moment," Wagner says.

Esther Lopez, a former secretary treasurer of UFCW International, says the union offers sexual harassment trainings to locals across the country, including workshops for union stewards on how to handle sexual harassment grievances. But they remain optional for locals, which have autonomy over their membership policies. Lopez says that bringing women into leadership roles is critical to shifting union culture around sexual harassment. She also stresses that making workers aware of their rights and writing stronger sexual harassment clauses into contracts can protect workers.

"There's no question some local unions do it better than others," says Lopez. "But frankly, we applaud exposing sexual harassment in the workplace. We are very clear that the contract should be used to the fullest extent to prevent against sexual harassment."

Michelle, who worked on a bacon slicer, checking for stray pieces of bone, says, "The union gets your money and they don't help you out. It's a load of hogwash."

She says that, due to health issues, she hasn't been able to find a job since she was fired. "It's a 'good old boys' system in there," she says of Smithfield. "If you're not young and cute and shapely and you don't grin in their face, then they don't like you."

"You got Harvey Weinstein up there, but you also got Smithfield, and that's a billion-dollar industry," she said during a conversation with In These Times in early 2019. "They kept a supervisor there who's a harasser because he was turning out the numbers. Come on now. That's a shame."  

LAUREN KAORI GURLEY is a staff writer at VICE's Motherboard on the labor beat.

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