



FINAL

Activity Number: 1570949

Establishment/DBA Name: Tyson Fresh Meats, Inc./ Tyson Foods, Inc.

RID: 0751910

Establishment Information**Establishment Information**

Establishment Name: Tyson Fresh Meats, Inc. Establishment DBA: Tyson Foods, Inc.
 Establishment ID: 1020888688
 Ownership: Private Sector Primary NAICS: 311612 - Meat Processed from Carcasses
 Type of Business: Corporation

Injury Illness

Business Address

Street Address 1: 13500 I Court County: DALLAS
 Street Address 2: Zip Code: 50220
 Country: UNITED STATES OF AMERICA E-mail Address: doug.white@tyson.com
 State: IOWA Phone Number: 5154659728
 City: PERRY Fax:

Mailing Address

Street Address 1: PO Box 7 City: PERRY
 Street Address 2: County: DALLAS
 Country: UNITED STATES OF AMERICA Zip Code: 50220
 State: IOWA

Site Address

Street Address 1: 13500 I Court Phone Number: 515-465-9728
 Street Address 2: Phone Number Extn:
 City: PERRY Fax:
 State: IOWA Number of 1300
 County: DALLAS Employees:
 Zip Code: 50220

Management/Business Type

Management Official First Name: Doug Last Name: White
 Type of Business: Pork Producers Primary NAICS: 311612 - Meat Processed from Carcasses
 Official Phone: 515-465-9728 Type of Site: meat packing
 Official Phone Extension: Activity:

Receipt Information**Receipt Information**

Received By : Receipt Online Activity Complaint
 Type : Type :
 Receipt Date : 04/11/2020 Receipt Time: 12:30 PM Formality: Nonformal

Complaint / Referral - Subject / Severity

Discrimination: No

Safety
 Imminent No Danger: Serious: No Other: No

Health
 Imminent No Danger: Serious: Yes Other: No

Hazard Description And Location: April 14, 2020 Health: 1. Employees are exposed to COVID-19 as 1300 employees are elbow to elbow. The employer is not following social distancing guidelines. This includes production floor in all areas and cafeteria.

No. of Alleged Hazards: 1 No. Employees Exposed (Removed from Alleged Hazard): 1300

Source Information
 Source : 1

Source Type: Ex-Employee
 Prefix:
 First Name: [REDACTED]
 Last Name: [REDACTED]
 Suffix:
 Job Title:
 E-mail Address: [REDACTED]
 CSHO ID:
 CSHO First Name:
 CSHO Last Name:
 CSHO Job Title:
 Date Separated:
 Relationship:
 Other:

Phone Number: [REDACTED]
 Phone Number Extn:
 Fax Number:
 Reveal Source Name: No
 Organization Name:
 Organization Title:
 Bought To Attention of: Employer
 Name Of The Govt Agency:
 Street Address 1: [REDACTED]
 Street Address 2:
 City: [REDACTED]
 State: IOWA
 Country: UNITED STATES OF AMERICA
 Zip Code: [REDACTED]

CONFIDENTIAL

Assign/Transfer Information
 Assignment

Assigned CSHO's Login Name: [REDACTED] Assigned Supervisor's Login Name: B3283

Additional Fat Cat Information
 Classification

Classification:
 No. Hospitalized:
 No. Unaccounted For:
 No. Fatalities:
 No. Non-Hospitalized:

Employer Report Date:
 Employer Report Time:
 Event Date:
 Event Time:
 Incident Type:

Do Inspection
 Do Inspection?: No
 Reason for No Explanation:

Inspection:
Complaint/ Referral Information
Close Yes Complaint/Referral?:
Complaint/Referral Action Source : 1
Action Date: 04/13/2020 Action Type: Contact with Source Type of Letter: Acknowledgement-Receipt of Complaint Communication Email Letter Method: Days to Respond: 5 Date Response Due: 04/20/2020
Complaint/Referral Action Source : 2
Action Date: 04/20/2020 Action Type: Valid = Y
Complaint/Referral Action Source : 3
Action Date: 04/20/2020 Action Type: Contact with Employer Type of Letter: Initiate Inquiry by Phone/Email to be followed by Letter Communication Email Letter Method: Days to Respond: 5 Date Response Due: 04/27/2020
Complaint/Referral Action Source : 4
Action Date: 04/20/2020 Action Type: Contact with Employer Type of Letter: Initiate Inquiry by Phone/Email to be followed by Letter Communication Phone Discussion Method: Days to Respond: 5 Date Response Due: 04/27/2020
Complaint/Referral Action Source : 5
Action Date: 04/20/2020 Action Type: Do Inspection = N Reason for No COVID 19 Inspection:
Complaint/Referral Action Source : 6
Action Date: 04/28/2020 Action Type: Contact with Employer Type of Letter: Response to Inquiry Satisfactory Communication Email Letter Method: Days to Respond:

Date Response Due:				
Program Information				
National Emphasis Programs				
Local Emphasis Programs				
Federal Strategic Initiative :				
State Strategic Initiative :				
Migrant Farm Worker No Camp:				
Additional Codes:	Type	Id	Value	Description
	N	16	COVID-19	Response activities related to the COVID-19 Coronav...

Notice of Alleged Safety or Health Hazards

Complaint Number	1570949
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Establishment Name	Tyson Fresh Meats, Inc.		
Site Address	13500 I Court, Perry, IA 50220		
	Site Phone	515-465-9728	Site FAX
Mailing Address	PO Box 7 Perry, IA 50220		
	Mail Phone	515-465-9728	Mail FAX
Management Official	Doug White	Telephone	515-465-9728
Type of Business	Pork Producers		
Primary SIC		Primary NAICS	311612 - Meat Processed from Carcasses
<p>HAZARD DESCRIPTION/LOCATION. Describe briefly the hazard(s) which you believe exist. Include the approximate number of employees exposed to or threatened by each hazard. Specify the particular building or worksite where the alleged violation exists.</p>			
<p>April 14, 2020</p> <p>Health:</p> <p>1. Employees are exposed to COVID-19 as 1300 employees are elbow to elbow. The employer is not following social distancing guidelines. This includes production floor in all areas and cafeteria.</p>			

Kim Reynolds, Governor
Adam Gregg, Lt. Governor
Rod A. Roberts, Labor Commissioner



DATE: April 20, 2020
TO: Doug White
CO.NAME: Tyson Fresh Meats, Inc.
FROM: Peggy Peterson, Senior Industrial Hygienist

RE: 1570949

Response due: April 27, 2020

Our office has received a complaint concerning possible safety and/or health hazards at your worksite. We have notified you or your office of these alleged hazards by phone. **The specific nature of the hazard(s) is attached.**

We have not determined whether the hazards, as alleged, exist at your workplace; and we are not conducting an inspection at this time. However, since allegations of violations have been made, you should investigate the alleged condition(s) and make any necessary corrections or modifications. Within **5 working days** of the receipt of this letter, please advise in writing of your findings and of the action you have taken. Your response should be detailed, stating specifically what action you have taken to correct the hazards. You should enclose any supporting documentation on the action you have taken, such as monitoring results, new equipment, orders and the like, as well as photograph(s) of the corrected conditions.

Section 88.9 of the Iowa Occupational Safety and Health Act provides that "No person shall discharge or in any manner discriminate against any employee because such employee has filed any complaint...or because of any right afforded by this Act."

This letter is not a citation or a notification of proposed penalty which, according to the IOSH Act, may be issued only after an inspection or investigation of the workplace. If we do not receive a response from you within **5 working days** indicating that appropriate action has been taken or that no hazards exist and why, an inspection may be conducted.

Action taken by you in this matter will not automatically remove your workplace from the possibility of an unannounced inspection by duly authorized representatives of Iowa OSHA in accordance with routine scheduling procedures currently in effect.

You are requested to post a copy of this letter and your response to it where it will be readily accessible for review by all of your employees. If you have any questions concerning this matter, please contact me at **515-725-5660**. Your personal support and interest in the safety and health of your employees is appreciated.

Send all replies to: Iowa OSHA Complaints, Division of Labor
150 Des Moines Street
Des Moines, IA 50309-1836
Fax #: 515-725-2024
Russell.sawvel@iwd.iowa.gov

Additional info: www.osha.gov 1910 – general industry 1926 – construction industry

Iowa OSHA Consultation and Education 515-281-7629



Iowa OSHA Complaints, Division of Labor
150 Des Moines Street
Des Moines, IA 50309-1836

Dear Russell Sawvel:

This letter responds to the allegations of hazards at our critical infrastructure facility relating to COVID-19: *Employees are exposed to COVID-19 as 1300 employees are elbow to elbow. The employer is not following social distancing guidelines. This includes production floor in all areas and cafeteria.*

We are taking significant efforts to social distance. In addition, we want to share the incredible number and variety of steps Tyson has taken enterprise-wide, and the specific measures implemented by the Perry Iowa plant, in response to the COVID-19 pandemic.

Tyson formed a crisis task force in mid-January to respond to the coronavirus threat and is utilizing federal, state and local guidance to help protect our team members from the COVID-19 pandemic. We evaluate our policies and guidance daily and revise them in response to the ever-changing crisis.

Starting on February 7, 2020, Tyson issued travel guidance to protect team members in U.S. facilities from the evolving coronavirus outside of the United States. Team members who flew to or through any area the CDC had designated as impacted by novel coronavirus (either for work or personal reasons) were placed on paid self-quarantine leave for fourteen days upon return to the United States.

By the end of February, in response to the growing epidemic, Tyson issued guidance, following CDC recommendations. Tyson's guidance had five main goals:

- (1) Encourage all sick team members to stay home by educating them about the coronavirus and relaxing Tyson attendance policy for sick team members.
- (2) Require team members with fever or respiratory symptoms to be sent home immediately and not allowed to return to work until well.
- (3) Direct facilities to provide training about illness prevention, such as hand hygiene and cough etiquette, and to provide supplies to enable such good hygiene (such as soap, towels, hand sanitizer, tissues and no touch receptacles). Education included postings throughout the facilities in numerous different languages.
- (4) Direct all facilities to intensify routine cleaning and sanitation efforts in all common areas and frequently touched surfaces, particularly in common areas like restrooms, locker rooms, cafeterias, etc. As a highly regulated protein production company, the production facilities already follow Good Manufacturing Practices in food production and storage areas of its manufacturing facilities, including daily comprehensive sanitation.
- (5) Expanding the February 7, 2020, travel guidance in several ways. First, the new travel guidance expanded paid administrative leave (or work from home where possible) for team members who travelled to or through a CDC-designated Level 2 or Level 3 country. Second, the guidance suspended work-related



international travel from the United States. Third, the guidance required Executive Leadership Team approval to attend any work-related conferences or large meetings domestically.

The first week of March, Tyson required all facilities to begin administering a questionnaire to all visitors to prevent entry by those who were sick with a contagious illness, including COVID-19, or at high-risk of developing COVID-19. On March 13, 2020, Tyson made several additional revisions to its benefits and attendance policies to encourage team members to self-identify and remain home when sick. For instance, in addition to the existing suspension of our attendance policies, Tyson waived its waiting period for short-term disability payments.

Between March 15 and March 18, 2020, Tyson also changed and updated its travel guidance and visitor questionnaire to mirror CDC guidance and to respond to the rapidly evolving COVID-19 situation. For instance, by March 15, 2020, Tyson had significantly restricted all visitors to our facilities- including Tyson team members visiting from another facility. Tyson also had suspended all work-related U.S. travel by commercial carrier.

Significantly, during this same time period, Tyson purchased thermometers and supplies and instituted training and guidance at each facility to begin taking the temperatures of anyone entering any Tyson facility. We met with our team members, using proper social distancing, to describe and discuss our new policies regarding temperature checking so they would know what to expect. Each facility implemented temperature checking of everyone entering as soon as supplies were received. Anyone with a temperature of 100.4 or greater is sent home with detailed instructions about calling their physicians and remaining out of work. This process will continue indefinitely.

From the start, Tyson has followed the ever-changing CDC and OSHA guidance and risk assessments to determine which team members to isolate from the workplace. We have worked closely with state and local health departments to respond quickly not only to isolate team members with positive COVID-19 tests from the affected facilities but also team members who have symptoms clinically consistent with COVID-19. We also have conducted our own investigation to identify the close contacts (less than six feet) of any such team members and continue to follow CDC guidance regarding those close contact team members. We also developed guidance about when sick team members can return to work. We will continue our diligence.

Social distancing is difficult in a food production facility. However, Tyson and individual facilities have implemented creative solutions. As noted above, visitor access to the facility is limited to essential visitors only and must be approved by an Executive Leadership Team member. Even other Tyson employees are not allowed to travel or visit, except in truly exceptional circumstances. Enterprise-wide, Tyson has been aggressively sourcing face coverings for months to provide to team members in a further attempt mitigate the spread of the virus. Although many facilities had access to these coverings, those that did not have a full supply permitted team members to wear their own face coverings (in compliance with food safety/quality requirements). We believe that we finally have secured face coverings for every team member. By April 15th, the Perry plant had fully implemented mandatory face coverings for all team members to help decrease the spread of the disease.



In addition, our facilities are taking numerous actions and proactive measures to improve social distancing inside the facility. The Peiry facility has taken numerous other specific steps, including:

- February 28, 2020 – We met with all team members about COVID-19 and best practices to avoid exposure. Furthermore, we posted materials in all common areas as daily reminders for team members.
- February 28, 2020 - We increased cleaning frequency of bathrooms, break rooms, and locker room areas throughout the production shift. We added a full-time person to continuously sanitize break room areas throughout the day.
- March 17, 2020 – Twenty, one-gallon jugs of hand sanitizer with spray nozzles were placed at strategic locations throughout the facility. The nursing staff, interpreters and others worked to educate everyone about hand sanitation and encourage routine use of the sanitizers that were available. These jugs were in addition to the 4 automatic hand sanitizer stations already in place at the entry doors to the production areas
- March 20, 2020 – Training was conducted by the plant Nurse Manager on how to safely and accurately take team member temperatures as well as Tyson and CDC guidelines for COVID-19 response for anyone found to have an elevated temperature.
- March 23, 2020 – We began to take temperatures of everyone entering the property and following the CDC guidelines for anyone with a temperature greater than 100.4 degrees.
- March 30, 2020 – All temporal thermometers were replaced with infrared thermometers to take temperatures. This eliminated any physical contact with team members to take their temperatures.
- April 6, 2020 – The outside break area was expanded and 18 picnic tables were added to allow people to take their breaks outside and increase social distancing.
- April 6, 2020 – Clear plastic shielding was installed on countertops in Health Services and Human Resources office to create a barrier between those working in those offices and team members visiting them for assistance.
- April 6, 2020 – All team members were encouraged to wear a face mask or face covering while in the facility.
- April 8, 2020 - Plexiglass was added to the supply and knife room window to prevent supply clerks from getting in close contact with TM's.
- April 9, 2020 - We have added outdoor tents above the expanded outside break area to block the wind and sun for increased comfort. We have placed notices in various locations to remind people about the CDC recommendations about social distancing.
- April 11, 2020 – Plexiglas barriers were installed on all cafeteria tables to create separation between all team members using the tables.



- April 13, 2020 – Microwave ovens were added to the tented outside break area so team members would not be required to enter the cafeteria to heat up their food.
- April 13, 2020 - We began installing partitions between TM's on the production floor. This effort continues as partition material becomes available.
- April 15, 2020 – Perry Training Coordinator met with all Safety Committee, Ergo Committee and Interpreters to review the current COVID-19 protocols including the mandatory wearing of face coverings and asked for their continued assistance with team member education throughout the facility.
- April 15, 2020 – Face masks were made mandatory throughout the facility.
- April 23, 2020 – Everyone entering the facility is given a new face mask to wear for the day. Replacement masks were made available as needed for exchange for those that became soiled through work activities during the day.

Recently, the Cybersecurity and Infrastructure Security Agency (CISA) of the US Department of Homeland Security reaffirmed its designation of the food production industry—Tyson's industry—as a “critical infrastructure industry.” In President Trump's March 16, 2020 updated Coronavirus Guidance for America, he urged, *“If you work in a critical infrastructure industry, as defined by the Department of Homeland Security, such as healthcare services and pharmaceutical and food supply, you have a special responsibility to maintain your normal work schedule.”* Tyson takes its obligation seriously and is making every effort to ensure the safety of its team members and protect the country's food supply. Our corporate task force and our plant management continue to carefully monitor the rapidly evolving situation and will continue to respond quickly and adapt our policies and protocols to changing CDC and OSHA guidance as well as to new regulatory or statutory requirements.

We also want to thank you for your efforts to keep our community, and our Tyson team members who live and/or work here, safe, particularly during this unprecedented time.

If you should have any further questions or require other information about our COVID-19 measures, please call me at 515-465-9727.

Regards,

Mike Grothe
Plant Manager
Tyson Foods, Perry, Iowa