

# Subsidizing Contractor Misconduct

Three Federal Contractors Who Won Big Despite Labor Violations

by Chris Thompson



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# TABLE OF CONTENTS

INTRODUCTION .....	3
TYSON FOODS / RODNEY'S STORY .....	5
IMPERIAL SUGAR / CALVIN'S STORY .....	8
VERIZON / ALMA'S STORY .....	10
MORE CORPORATE CULPRITS .....	13
CONCLUSION .....	14
ENDNOTES .....	15

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Cover photo: Damage caused by Imperial Sugar refinery explosion at Port Wentworth, Georgia. U.S. Chemical Safety and Hazard Investigation Board. All inside photos are used under Creative Commons (CC) license, unless otherwise noted.

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## Federal Contractors Win Big Despite Egregious Labor Violations

BY CHRIS THOMPSON



### INTRODUCTION

Rodney Bridgett was killed when a piece of Tyson Foods' heavy equipment crushed him. Calvin Bryant was crippled in a Imperial Sugar plant explosion in Georgia that also killed 14 of his co-workers. When Alma Aranda tried to exercise her legal right to take unpaid time off to care for her dying mother, Verizon harassed her with so much paperwork that her hair fell out in clumps.

What do these three cases have in common? The federal government handed out tens of millions of dollars in contracts to these companies, without regard to how they treated their workers.

This summer, to help put an end to these kinds of mistreatment, President Barack Obama signed the Fair Pay and Safe Workplaces Executive Order.

Here's why the executive order could help workers: Every year, the federal government awards a fortune in contracts for everything from defense systems to administrative services to companies that employ an estimated one in five American workers.<sup>1</sup>

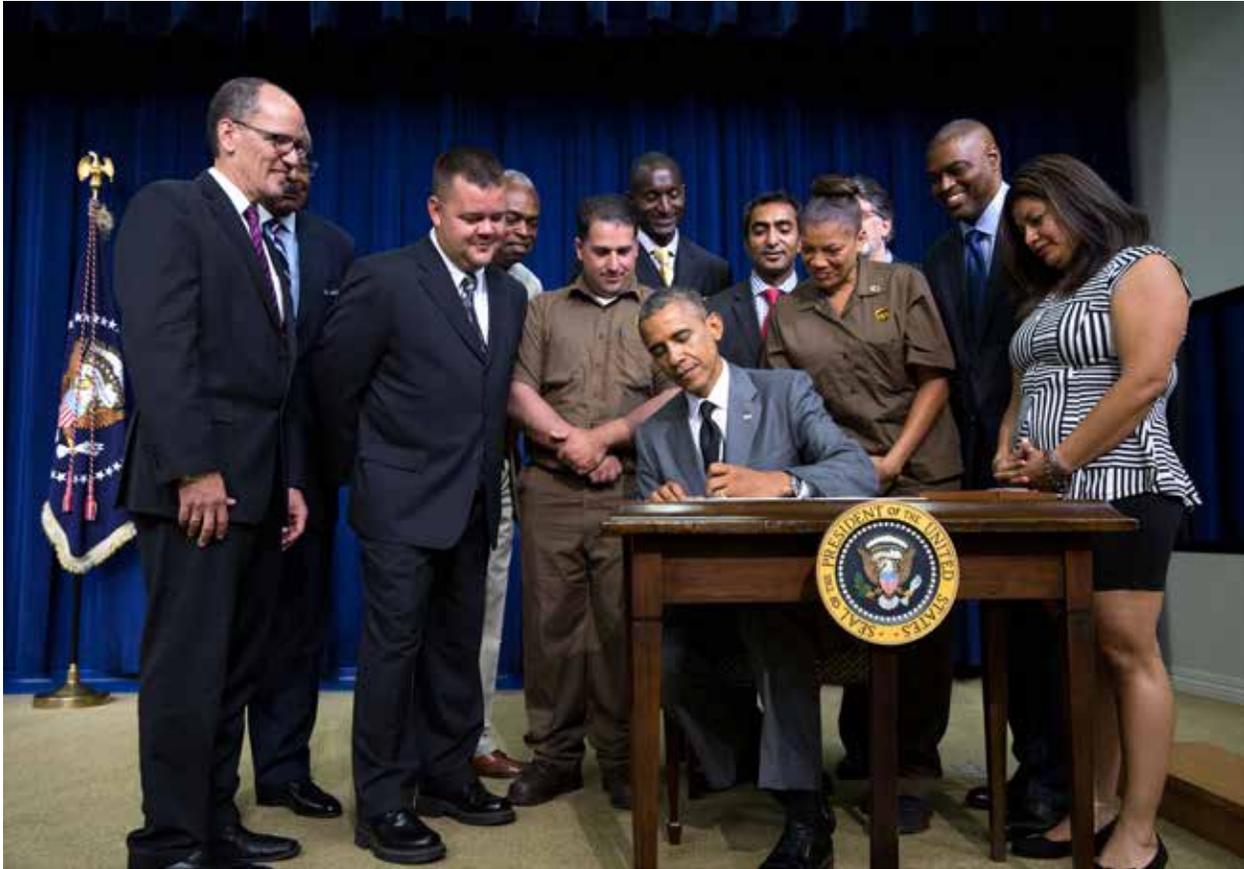
Government rules that require it to contract only with companies that have a "satisfactory record of performance, integrity, and business ethics."<sup>2</sup> In

practice, the contracting system does not effectively review companies' records for responsibility, nor does it ensure—before awarding contracts—that violators reform their practices.<sup>3</sup>

As a result companies have continued to receive billions of dollars, despite long records of violating workplace laws.<sup>4</sup> They may neglect legally required safety standards and maim a worker on the job, systematically engage in age or gender discrimination, refuse to pay overtime in violation of the law, or ignore the Americans with Disabilities Act and demote or fire disabled employees.

When these companies are caught, they may face financial penalties. Sometimes they are in the form of a fine from the Occupational Safety and Health Administration (OSHA), rarely in excess of a few hundred thousand dollars. Sometimes the payoff is a little steeper, such as when employees or state agencies file class action lawsuits and collect millions.

But the federal government did little to ensure that these companies clean up their acts before they collected tens of millions in contracts. A 2013 report from Sen. Tom Harkin (D-Iowa) found that the



Obama signs Fair Pay and Safe Workplaces Executive Order. *White House*

government awarded companies with the most egregious records of violating workplace wage and safety records \$81 billion in 2012 alone.<sup>5</sup>

In effect, the federal government has been subsidizing contractor misconduct with our tax dollars. As long as federal contractors have known that their law-breaking would not jeopardize the next contract, they have had little financial incentive to stop mistreating their workers.

By signing the Fair Pay and Safe Workplaces Executive Order, President Obama signaled that it's time for this to stop. The order will ensure that federal contractors obey workplace laws before receiving government contracts. Once implemented, the order:

- Will require federal contractors to disclose their record of compliance with workplace laws;
- Will ensure that law-breaking companies clean up their acts by empowering federal agencies to consult

with the U.S. Department of Labor to investigate and remediate ongoing problems with contractors.<sup>6</sup>

This report helps to put a face to the millions of workers the order is designed to protect. Through press accounts and personal interviews, CorpWatch documents the stories of Rodney Bridgett, Calvin Bryant, and Alma Aranda, explaining how their employers ignored basic workplace safety rules or undermined an employee's legal right to unpaid leave in the case of a medical emergency, yet still managed to secure tens of millions of dollars in federal money.

For far too long, federal contractors have been able to cheat or injure their employees, secure in the knowledge that their lawbreaking will not count against them when their contracts come up for renewal. Once implemented, the Fair Pay and Safe Workplaces Executive Order will take that security away from them.

## TYSON FOODS | RODNEY'S STORY

Just across the Missouri River from Sioux City, Iowa, lies a Tyson Foods beef processing plant. Thousands of head of cattle are freighted here from ranches across the Midwest and escorted to the “kill floor.” Tyson is paid millions of dollars in federal contracts to turn cattle like these into beef products for government workers across the country.

On March 14, 2012, a faulty chain snapped, dropping a piece of equipment that crushed Rodney Bridgett, a 35-year-old maintenance worker. He died on the kill floor.<sup>7</sup>

Rodney was buried on the same day as his 14<sup>th</sup> wedding anniversary. His wife Jaime contacted many lawyers in the Iowa and Nebraska area, but they all told her that they couldn't bring a case against Tyson.

### A Local Romance

Rodney and Jaime Bridgett met in March 1998. He went to East Side High School, and she went to North Side High, so their paths didn't cross until a mutual friend set them up. Their first date was at Whimp's Steakhouse in Burbank, South Dakota, where Jaime's grandmother was hosting her birthday party. They were married a year later. They were both 21 years old. “I wasn't looking for it,” Jaime says. “It was kinda one of them things that grew on me.”<sup>8</sup>



Rodney Bridgett. Jaime Bridgett

They never thought of leaving Sioux City to go to college, just looked around town to see what jobs they could get so that they could raise a family. Jaime took a job filing papers at the Tyson plant across the river, then started cleaning rooms for a local hotel. Rodney took a maintenance gig at a nearby fertilizer plant. They had a child, and then a second child, and eventually bought a drafty, 100-year-old house in the city's Morningside district. The house had only two bedrooms, but the Bridgetts found a way to convert the basement into a third bedroom.

Rodney spent his off time banging around on motorcycles, camping, and fixing engine blocks. “He couldn't sit still,” Jaime says.<sup>9</sup> Jaime, meanwhile, started taking a string of part-time jobs to pay the bills. She worked the electronics aisle at WalMart and collected change out of the vending machines for the *Sioux City Journal*, the local newspaper.

By late 2011, Rodney had decided that his job at the fertilizer plant would take him only so far, and it was time to move on. He took a maintenance job at Tyson. He had only been on the job for five months when he was asked to work on a scissor lift—one of the big ones, the kind that can elevate a man—on the kill floor. The lift was hanging from a safety chain, and Rodney stepped beneath it to get to work. But



Government poultry inspector tests chicken breasts at a Tyson Foods plant. *Bob Nichols, U.S. Department of Agriculture*

the chain snapped, and the lift fell to the floor, crushing Rodney beneath it.

Investigators from the federal Occupational and Safety Health Administration found that Tyson's supervisors had intentionally failed to inspect the chain and other safety gear. OSHA cited the company for seven violations, and OSHA regional administrator Charles Adkins called Tyson's actions "unthinkable." But the company's initial fines amounted to a mere \$104,200.<sup>10</sup>

### Ignoring Safety Protocols

Rodney's death could be written off as an outlier. But in fact the government has repeatedly found Tyson Foods in violation of federal law and that it has seriously endangered the safety of its employees. At Tyson's Buffalo, New York manufacturing plant, federal inspectors recently found that the company had regularly exposed workers to the threat of death or injury by electrocution, burns, falling, or exposure to dangerous levels of ammonia.<sup>11</sup>

On June 17, 2013, an unguarded conveyor belt at the company's Hutchinson, Kansas factory caught

a strand of an employees' clothing, dragged his arm into the machine's gears, and ground his hand into garbage. OSHA inspectors found that Tyson willfully failed to train workers about important safety protocols and failed to install guards to protect workers from dangerous machinery. OSHA's area director called Tyson's conduct "inexcusable," and the agency put Tyson in its Severe Violator Enforcement Program. But Tyson's proposed fine was next to nothing: \$147,000.<sup>12</sup> Tyson representatives did not respond to requests to comment for this report.

Meanwhile, Tyson has earned a fortune from the very same federal government, which has awarded it and its subsidiaries \$4.2 billion in contracts for various food products since 2000.<sup>13</sup>

In the two years since Rodney's death, the federal government has continued to do business with Tyson Foods. In Fiscal Years 2013 and 2014, it received at least \$681 million in federal contracts.<sup>14</sup> And U.S. Senate investigators, after reviewing the deaths of six Tyson employees who were killed at work between 1999 and 2010, found no evidence that federal contracting officers had considered any of these incidents when awarding contracts to the company.<sup>15</sup>

## A Widow's Fate

Today Jaime and her two children, ages six and eleven, scrape by on a hodge-podge of widow's benefits. The company agreed to pay her a stipend worth 66 percent of her husband's salary — which doesn't amount to much since he was only five months on the job. It barely pays for the utilities and the mortgage on a 100-year-old house. Social Security spousal benefits keep her family in food, and a state program provides medical insurance for her children, but not for her.

As a last gesture, Tyson and Rodney's union offered enough money to provide her with roofing material and a new set of windows for her house. But the company didn't offer to install them. Instead, Rodney's friends and family organized a work party to replace the roof on their own. "Rodney had friends everywhere," Jaime says. "We couldn't go anywhere out in town without running into people."<sup>16</sup>

Two years after the accident, Jaime is still a ghost of a woman, getting up to get her children to school, driving them to soccer practice, and trying to fill the quiet moments in between. She mostly stares at the wallpaper and thinks of ways she can change it. She and Rodney met when they were 21 years old and lived together for 15 years. And now he's gone.

"In my opinion, I don't believe [the laws] were written to help people like us," she says. "We're sorry for your loss, you know, here's a book and a small check and a couple tokens, but, you know, sorry. We're going to go on with our everyday lives and soon forget about who your husband was."<sup>17</sup>

When Jaime's friends drive her around town, they know to change the radio channel if a Tyson commercial comes on the air. Jaime never goes into the frozen food section of her local grocery store anymore. And if any of her friends are looking for work, she has one piece of advice: Don't go to Tyson.

"I wouldn't wish that place on anybody I know and love," she says.<sup>18</sup>



Tyson truck. *Capital Area Food Bank of Texas. CC*



Damage caused by Imperial Sugar refinery explosion at Port Wentworth, Georgia. *U.S. Chemical Safety and Hazard Investigation*

## IMPERIAL SUGAR | CALVIN'S STORY

Calvin Bryant is a true son of Savannah, Georgia. Born in 1985 and raised just ten miles from the Imperial Sugar plant in Port Wentworth, Bryant went to Savannah High School and settled down to make a life for himself. He never had any ambition to go to college or see the world; his hometown was enough. “I never thought about leaving Savannah,” he says.<sup>19</sup>

The Imperial Sugar plant is another true son of this part of Georgia.

Since 1916, the plant (formerly owned by the Savannah Sugar Refining Corporation) has been processing sugar and providing jobs in Savannah.<sup>20</sup> Among the plant’s regular customers is the federal government, which has spent millions of federal dollars buying its sugar and related products.<sup>21</sup>

And about half that time, factory operators have been aware that airborne sugar can be highly flammable. A 1967 internal memo to company leadership went so far as to emphasize that a massive explosion could take place unless some basic housekeeping was regularly done at the refinery.<sup>22</sup> And in 1998—one year after Imperial Sugar acquired the refinery—a worker was severely burned in a sugar-dust explosion at Imperial’s Sugar Land, Texas refinery.<sup>23</sup>

Bryant knew nothing of this when he was looking for work. He had bopped around a few odd jobs and was looking for something better when he caught a break at the plant. “A friend of mine worked there and he recommended the job to me. I heard that they paid more than a lot of [places and that people] can make decent money at the time,” he says.<sup>24</sup>

Bryant took a job as a “package attendant,” operating a machine that organized the packaged sugar products as they came down the final stage of the assembly process, and occasionally clearing out jams on the line. He’d been on the job ten months when February 7, 2008, rolled around. He was 23 years old.

That was the day when the Imperial Sugar plant exploded. A spark first triggered a small explosion close to the factory floor. But it was the secondary explosions, from dust wafting in the air, that did the trick. A catastrophic series of detonations burst in the air, splashing flame throughout the facility. The resulting fires gutted the plant, killed 14 people, and injured another 36, mostly with burns.<sup>25</sup> To this day, the event numbers among the worst industrial incidents in modern U.S. history.

Bryant was working his usual shift; he felt the blast before he heard it. “What I remember was that the building shook,” he says. “And then the lights went out. And then there was like a force of air or something, and I went up into the air. And when I came back down on the floor, a big ball of fire was coming toward me. And after that, everything was on fire.”<sup>26</sup>

## Racing the Flames

Bryant and a few of his co-workers raced for the exits ahead of the flames. But they were stuck on the third floor where the blast had caved in most of the usual exits.. “There was just too much fire.”<sup>27</sup> As they raced down a stairwell, they finally found a door they could use to get out.

By the time Bryant stumbled out of the plant, he had sustained second- and third-degree burns over forty percent of his body, and his days of ordinary pleasures, like playing basketball, were over. He spent three months in the hospital, but that was just the beginning of his new life. When he was finally released, he couldn’t feed or bathe himself and needed nursing care every moment of his waking day.

Six years later, Bryant can feed himself, but only because he can fit special utensils onto his useless hands. “I can’t grip or pick up certain things,” he says. “Like, a glass of water. I can’t pick it up with one hand.”<sup>28</sup>

Like many of the Imperial victims, Bryant sued and ultimately settled for an undisclosed amount. He hopes this money will keep him in food and clothes, because for the blue-collar, high-school graduate who had expected to work with his hands all his life, his injuries have left him without many options.

“I’m not able to work,” he says. “Not at all. Now, I spend my days with friends and family, trying to stay busy.”<sup>29</sup>

After the explosion, the federal Chemical Safety Board (CSB) investigated and found that not only had factory managers known about the fire threat from airborne sugar dust, they had witnessed numerous such fires break out at the plant in the years before 2008.<sup>30</sup>

Indeed, factory managers used to routinely allow granulated sugar to accumulate until some workers reported that it was “knee-deep” in some areas. Company managers had also not bothered to install effective venting or dust-removal systems for critical conveyor belts where sugar dust might accumulate, or for the overhead spaces where the crucial secondary explosions were likely to take place.<sup>31</sup>

In short, then-CSB Chairman John Bresland concluded, the Imperial Sugar fire was “entirely preventable.”<sup>32</sup> An Imperial Sugar representative did not respond to a request to comment for this report.

The Occupational Safety and Health Administration investigated Imperial Sugar’s Port Wentworth, Georgia and Gramercy, Louisiana facilities after the explosion and initially proposed a whopping \$8.8 million fine against the company—the third largest in OSHA’s history up to 2008.<sup>33</sup> Imperial agreed to pay \$6 million in penalties and implement abatement measures to resolve OSHA’s allegations.<sup>34</sup> But no felony charges were ever sought against anyone at the facility.<sup>35</sup>

And despite this loss of life and the survivors’ crippling injuries, in the years since the explosion the federal government has continued doing business with Imperial Sugar. It received about \$30.7 million in contracts, mostly with the Department of Defense’s agency that supplies the commissaries used by military personnel, retirees and their families.<sup>36</sup> In 2012 alone, Imperial Sugar’s new parent company, Louis Dreyfus Group, received nearly \$95 million in federal contracts, according to an investigation by the Majority Committee Staff of the Senate Health, Education, Labor, and Pensions Committee.<sup>37</sup>

Calvin Bryant has remained in Savannah, but he’s never gone near the Imperial Sugar plant again. “I feel that I never got no explanation when I was hired that any of that stuff could get out of hand,” he says. “I’ll never feel that they were held accountable like they should be. I mean, they changed my life forever.”<sup>38</sup>

Looking back, Bryant sums up Imperial Sugar’s actions in two sentences: “They did what they had to do. And what they didn’t have to do, they didn’t.”<sup>39</sup>



Phyllis Cheng, California Department of Fair Employment and Housing, brought the lawsuit against Verizon. *UC Irvine Law School. CC.*

## VERIZON | ALMA'S STORY

**F**ive days a week, Alma Aranda goes to work at a customer call center operated by Verizon Communications in Oxnard, California. There she works an eight-hour shift fielding questions about billing statements or complaints about Internet service from the company's disabled customers. As soon as each call ends, Aranda punches a button and takes the next customer.

Verizon employs about 15,500 people in California and is one of the largest telecommunications companies in America.<sup>40</sup> One of its most important customers is the federal government. Since FY 2012, Verizon has secured \$1.7 billion in contracts to provide telecommunication services to the Departments of Defense, Homeland Security, and Health and Human Services.<sup>41</sup>

Seven years ago, after countless inconveniences and humiliations, Aranda was left so shaken, depressed, and anxious by her job that her hair fell out in clumps.

At the time she was 44 years old with no husband and no children, and her only family was her mother and older sister, who lived in San Dimas, some 90 miles east. Her mother was suffering from Alzheimer's, and in 2007 she took a turn for the worse. Aranda's sister moved in with her mother to take care of her full time, and Aranda stayed with them on weekends to help out. Each Friday, at the end of her shift, Aranda would drive 90 miles to care for her mother, and then drive back on Sunday night.

Sometimes, when her mother had a crisis or had to go to the hospital for medical treatment, Aranda would take two or three days off from work. What made it hard were her supervisors at Verizon. "They needed to know specifically if she was ever going to get better or as the doctor put it, it was a lifelong illness," says Aranda. "It was just a constant occurrence, it was a constant worry for me. And then it started af-

fecting my own health. My hair back then was falling out. I had large spots with no hair.”<sup>42</sup>

Under both the California Family Rights Act<sup>43</sup> and the federal Family and Medical Leave Act,<sup>44</sup> employees who work for companies with 50 or more workers have the right to take as many as 60 days of unpaid leave per year to care for a parent with a major medical issue.

Aranda’s supervisors never exactly ignored the laws. But each time she asked for time off, they demanded that she and her sister fill out a complex application, complete with a signature from her mother’s physician listing a host of minor details and affirming that her mother was suffering from Alzheimer’s. For Aranda to gain permission from her supervisors to take time off to help her sister take care of their mother, her sister had to find a caregiver for her mother, drive to the local Kaiser Permanente hospital, find her mother’s doctor, and have him fill out the same form he’d filled out countless times before.”Then they’d have to wait while someone at Kaiser reviewed the request. If the slightest detail in the form was improperly filled out, Kaiser’s managers would reject the request, and the sisters would have to start all over again.

Sometimes Aranda’s mother would suffer a medical emergency, and Aranda would not have the time to fill out a new form and wait for approval. So she would just drive up and take care of her mother.

That’s when Verizon managers began writing Aranda up for taking unexcused absences. As her disciplinary record accumulated, Aranda began to worry that she would lose her job and her own health insurance. Every new bureaucratic burden increased her depression and anxiety until she had to seek medical care for herself.

By 2008, Aranda’s mother had become so debilitated that Aranda and her sister decided that they had to find an institution to give her professional, 24-hour medical care. Aranda realized that this would be the last time she would see her mother in her own home, without the presence of constant medical staff. So she took a month of medical leave in order to find

an appropriate care center in San Dimas—and to say goodbye to her mother.

That time Verizon gave her a break. Rather than insisting that she file for approval in advance, her managers gave her a week or two during her leave to fill out the form. But by then, she had acquired a substantial disciplinary record. And once again, filling out the form made Aranda anxious that her request might be rejected or perhaps even worse.

“That was the worst, because I didn’t know if I was going to have a job to come back to,” Aranda says. “Because that was when they were asking me for repeated faxes, denying my request, requesting another review of the FMLA form. It was constant. I didn’t truly have a month just to focus on my mother.”<sup>45</sup>

By June 2009, the doctors said Aranda’s mother had one month left to live. Once again, Aranda took two weeks of medical leave to watch over her. And once again, Verizon forced her to fill out maddening amounts of paperwork. To add insult to injury, Verizon insisted on mailing the FMLA form to her home in Oxnard, despite the fact that Aranda was spending every possible moment by her mother’s San Dimas bedside.

“I had to drive back the 90 miles to get the FMLA form that they mailed me,” she says. “I had to drive an hour and half to check the mail for the paperwork they sent me. And I had a time limit to file, otherwise it wasn’t going to be excused, and I was going to lose my job. So that was very stressful for me.”<sup>46</sup>

When her mother died in July, Aranda requested time off for the funeral. Her managers had two requests: Tell us when you are coming back and show us the death certificate.

## Fighting Back

But as Verizon soon discovered, Aranda was no passive victim. One year earlier, her union, the Communication Workers of America, began collecting stories like Aranda’s and filing complaints with the California



Verizon store ad. Mike Mozart, CC

Department of Fair Employment and Housing. Attorneys with the DFEH launched a two-year investigation and eventually found that the practice of denying or failing to give employees timely approval for family or medical leave was so widespread that it amounted to company policy. Up to 1,000 Verizon employees, DFEH lawyers estimated, had been denied their rights in California alone.<sup>47</sup>

In 2010, the DFEH filed a class action lawsuit against Verizon under the California Family Rights Act on behalf of Aranda and an indeterminate number of plaintiffs.<sup>48</sup> While admitting no wrongdoing, Verizon settled, agreeing to revise its policy and pay \$6 million in damages.<sup>49</sup> A few months later, Aranda got a check for thousands of dollars in the mail. Verizon representative did not respond to requests to comment for this report.

Aranda still works at the Verizon call center and is now married. But she'll never forget the two years in which her mother slowly faded away. And she'll never forget the paperwork, the faxes, the trips to Kaiser, the denials, or the hair she found on her pillow.

This is not the first time Verizon was found to have violated the rights of its employees. After the 2011 electrocution death of an employee who was working on utility poles that carry power lines, OSHA found that Verizon N.Y. failed to properly train the worker and provide necessary safety equipment.<sup>50</sup> Four years earlier, another Verizon employee died under similar circumstances in Providence, Rhode Island. OSHA cited the company for ten safety violations and entered the company into its Severe Violator Enforcement Program.<sup>51</sup>

Also in 2011, Verizon Communications agreed to pay \$20 million to settle a nationwide disability discrimination lawsuit. The Equal Employment Opportunity Commission filed the suit against the company, alleging that its attendance policies failed to make reasonable accommodations for hundreds of employees with disabilities.<sup>52</sup>

Verizon continues to receive federal contracts despite these ongoing problems. Since Fiscal Year 2012, Verizon and its subsidiaries have received about \$1.7 billion in government contracts.<sup>53</sup>

## MORE CORPORATE CULPRITS

All too often companies harm their workers, yet continue to receive federal contracts, no strings attached.

The stories of Rodney Bridgett, Calvin Bryant, and Alma Aranda are hardly anomalies. Federal contractors have denied thousands of employees overtime pay, or killed or injured workers on the job. Here are a few more examples:

- Battelle Memorial Institute and URS Corporation received a total of \$6.4 billion in 2012 federal contracts;<sup>58</sup> URS's subsidiary, EG&G, partners with Battelle to destroy chemical weapons near Tooele, Utah. Employee Jason Sweat worked for them for 16 years – 12.5 hours a day, with one 30-minute unpaid lunch break.<sup>59</sup> Before and after each shift, Sweat had to put on and take off heavy safety equipment, but the two companies refused to pay him for this time, in violation of federal law. Sweat and his co-workers sued the companies. The companies eventually settled, admitting no wrongdoing, but agreeing to compensate Sweat and his co-workers for millions in back pay.<sup>60</sup>
- The shipping company VT Halter Marine Inc.'s parent company ST Engineering secured \$1.9 million in federal contracts in 2012.<sup>56</sup> Three years earlier, two of VT Halter Marine's workers, Alexander Caballero and Dwight Monroe, were killed in an explosion while using highly flammable material in an illegally unventilated tugboat. Calling the company's practice "horrific and preventable," OSHA fined VT Halter Marine more than



Workers at Tooele Chemical Agent Disposal Facility dismantle chemical weapons. U.S. Army's Chemical Materials Activity

\$1.3 million.<sup>57</sup>

- Escab Enterprises provides cleaning services at the Walter Reed National Military Medical Center. In November 2012, Escab stopped paying its employees and stopped paying into their health care funds. After weeks of hemming and

hawing, Escab finally resumed payments and paid back wages. But during the wage freeze, employees Helen Avalos and Gabriel Rivera worried whether they would be able to pay their rent.<sup>61</sup> The company has received contracts worth about \$5 million since Fiscal Year 2013.<sup>62</sup>



Factory footage of Eleazar Torres-Gomez moments before he was killed in an industrial dryer.

- The Cintas Corporation, which received \$3.4 million in federal contracts in 2012, was fined almost \$3 million by the Occupational Safety and Health Administration after one of its employees, Eleazar Torres-Gomez, was sucked into an industrial drier, trapped for twenty minutes, and ultimately killed.<sup>54</sup> Cintas and its subsidiaries were cited for workplace violations 61 times between 2007, the year of Torres-Gomez's death, and 2012.<sup>55</sup>



Page 16: SEIU March for Good Jobs and a Green Future in Minneapolis. *Fibonacci Blue. CC*

## CONCLUSION

When Tyson Foods let a scissor lift crush the life out of Rodney Bridgett, the company was receiving taxpayers' money. While Imperial Sugar was cashing checks from the federal government, it failed to vent the aerated sugar that ignited and ruined Calvin Bryant's hands. As Verizon was receiving hundreds of millions of dollars from the U.S. taxpayer, its managers pursued a policy of harassing low-level employees like Alma Aranda, just because these workers had the temerity to request their lawful right to unpaid medical leave.

If these were merely companies operating in the private sector, the remedies at hand—lawsuits, government citations, and fines—would barely suffice. But these companies, as well as dozens of major corporations like them, use taxpayer money

to conduct their business and mistreat their employees.

In each of these three cases, the workers received a measure of “justice,” such as financial compensation, together with government citations and minor fines for their employers. But these violations were barely speed bumps on the companies' road to maintaining their federal contracts.

The Fair Pay and Safe Workplaces Executive Order will help end this. It recognizes that contractors must demonstrate integrity and respect workplace laws if they are going to work for the federal government and use our money. Once implemented, the order will help prevent the horror stories documented here and make a considerable difference to the one-in-five U.S. workers employed by federal contractors.

## ENDNOTES

1. The White House, "FACT SHEET: Fair Pay and Safe Workplaces Executive Order," available at <http://www.whitehouse.gov/the-press-office/2014/07/31/fact-sheet-fair-pay-and-safe-workplaces-executive-order> (last accessed July 2014).
2. Federal Acquisition Regulation, 9.104-1 General standards.
3. Center for American Progress Action Fund, "At Our Expense," available at <http://www.americanprogressaction.org/issues/labor/report/2013/12/11/80799/at-our-expense/> (last accessed October 2014).
4. United States Senate Health, Labor, and Pensions Committee, "Acting Responsibly? Federal Contractors Frequently Put Workers' Lives and Livelihoods at Risk," Majority Committee Staff Report, December 11, 2013.
5. Ibid.
6. The White House, "FACT SHEET: Fair Pay and Safe Workplaces Executive Order," Op. Cit.
7. Occupational Safety and Health Administration, "US Labor Department's OSHA cites Tyson Foods in Dakota City, Neb., for willful and serious violations after worker fatality," Press release, August 27, 2012, available at [https://www.osha.gov/pls/oshaweb/owadisp.show\\_document?p\\_table=NEWS\\_RELEASES&p\\_id=22893](https://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=NEWS_RELEASES&p_id=22893)
8. Personal Communication with Jaime Bridgett, April 10, 2014.
9. Ibid.
10. Occupational Safety and Health Administration, "US Labor Department's OSHA cites Tyson Foods in Dakota City, Neb., for willful and serious violations after worker fatality." Press release, Aug. 27, 2012, available at [https://www.osha.gov/pls/oshaweb/owadisp.show\\_document?p\\_table=NEWS\\_RELEASES&p\\_id=22893](https://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=NEWS_RELEASES&p_id=22893)
11. Occupational Safety and Health Administration, "US Labor Department's OSHA cites Tyson Foods, proposes \$121,720 in fines for workplace safety hazards at Buffalo, NY, production plant," Press release, November 19, 2013, available at [https://www.osha.gov/pls/oshaweb/owadisp.show\\_document?p\\_table=NEWS\\_RELEASES&p\\_id=25119](https://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=NEWS_RELEASES&p_id=25119)
12. Occupational Safety and Health Administration, "Tyson Foods cited by US Labor Department's OSHA for 4 workplace safety violations after worker's hand severed by unguarded machine," Press release, December 17, 2013, available at [https://www.osha.gov/pls/oshaweb/owadisp.show\\_document?p\\_table=NEWS\\_RELEASES&p\\_id=25260](https://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=NEWS_RELEASES&p_id=25260)
13. United States Senate Health, Labor, and Pensions Committee, "Acting Responsibly?" Op. Cit.
14. USAspending.gov, last accessed October 18, 2014.
15. Ibid.
16. Personal Communication with Jaime Bridgett, April 10, 2014.
17. Ibid.
18. Ibid.
19. Personal Communication with Calvin Bryant, May 1, 2014.
21. United States Senate Health, Labor, and Pensions Committee, "Acting Responsibly?" Op. Cit.
22. US Chemical Safety and Hazard Board, "Final CSB Report on Imperial Sugar Disaster Concludes Inadequate Equipment Design, Maintenance, and Housekeeping Led to Massive Sugar Dust Explosions," Press release, September 24, 2009, available at <http://www.csb.gov/final-csb-report-on-imperial-sugar-disaster-concludes-inadequate-equipment-design-maintenance-and-housekeeping-led-to-massive-sugar-dust-explosions/>
23. Ibid.
24. Personal Communication with Calvin Bryant, May 1, 2014.
25. US Chemical Safety and Hazard Board, "Investigation Report: Sugar Dust Explosion and Fire," February 7, 2008, available at <http://www.csb.gov/UserFiles/file/Imperial%20Sugar%20Report%20Final%20Updated.pdf>
26. Personal Communication with Calvin Bryant, May 1, 2014
27. Ibid.
28. Ibid.
29. Ibid.
30. US Chemical Safety and Hazard Board, "Investigation Report: Sugar Dust Explosion and Fire." Op. Cit.
31. Ibid.
32. Larry Peterson, "Chemical Safety Board says 14 Imperial Sugar deaths 'entirely preventable,'" Savannah Now, September 25, 2009, available at <http://savannahnow.com/news/2009-09-25/chemical-safety-board-says-14-imperial-sugar-deaths-entirely-preventable#.U9gMRcdr2XU>
33. Occupational Safety and Health Administration, "Federal OSHA issues third largest fine in history following sugar refinery explosion," Press release, July 25, 2008, available at [https://www.osha.gov/pls/oshaweb/owadisp.show\\_document?p\\_table=NEWS\\_RELEASES&p\\_id=16355](https://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=NEWS_RELEASES&p_id=16355)
34. Valerie Bauerlein, "Imperial Sugar to Pay Fines in Deadly Georgia Explosion Case," The Wall Street Journal, July 8, 2010, available at <http://online.wsj.com/articles/SB10001424052748703636404575352782366026008>.

35. Sean Horgan, "Imperial Sugar: No prosecution," Savannah Morning News, February 27, 2013, available at <http://savannahnow.com/news/2013-02-26/imperial-sugar-no-prosecution#.US51ljfTQ11>
36. USAspending.gov, last accessed October 18, 2014.
37. United States Senate Health, Labor, and Pensions Committee, "Acting Responsibly?" Op. Cit.
38. Personal Communication with Calvin Bryant, May 1, 2014.
39. Ibid.
40. Verizon Communications, "Verizon in the Community – California," available at [http://www.verizon.com/about/community/ca\\_about.html](http://www.verizon.com/about/community/ca_about.html) (last accessed July 29, 2014)
41. USAspending.gov, last accessed October 18, 2014.
42. Personal Communication with Alma Aranda, June 3, 2014.
43. California Department of Fair Employment and Housing, "California Family Rights Act," available at [http://www.dfeh.ca.gov/Publications\\_CFRADefined.htm](http://www.dfeh.ca.gov/Publications_CFRADefined.htm) (last accessed July 29, 2014)
44. United States Department of Labor, "family and Medical Leave Act," available at <http://www.dol.gov/whd/fmla/> (last accessed July 29, 2014)
45. Personal Communication with Alma Aranda, June 3, 2014.
46. Ibid.
47. "California Department of Fair Employment and Housing vs. Verizon Services Corporation, Superior Court of California, County of Los Angeles," filed August 19, 2010.
48. Department of Fair Employment and Housing vs. Verizon Services Corporation, Superior Court of California, County of Los Angeles," filed January 19, 2012, available at <http://www.dfeh.ca.gov/res/docs/Verizon/DFEH%20v%20Verizon%20Final%20Order%201-19-12.pdf>.
49. Department of Fair Employment and Housing vs. Verizon Services Corporation, Superior Court of California, County of Los Angeles," filed January 19, 2012; and [www.contractormisconduct.org](http://www.contractormisconduct.org), "Verizon-calif-family-care\_settlement.pdf," available at [http://www.contractormisconduct.org/ass/contractors/74/cases/1826/2804/verizon-calif-family-care\\_settlement.pdf](http://www.contractormisconduct.org/ass/contractors/74/cases/1826/2804/verizon-calif-family-care_settlement.pdf)
50. Occupational Safety and Health Administration, "US Labor Department's OSHA cites Verizon NY Inc. for repeat and serious safety violations following utility worker's death in Brooklyn," March 19, 2012, available at [https://www.osha.gov/pls/oshaweb/owadisp.show\\_document?p\\_table=NEWS\\_RELEASES&p\\_id=22017](https://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=NEWS_RELEASES&p_id=22017)
51. Keith Wrightson, "Verizon Joins OSHA List of Severe Safety Violators," CitizenVox, August 30, 2012, available at <http://www.citizenvox.org/2012/08/30/verizon-joins-osha-list-of-severe-safety-violators/>.
52. Equal Employment Opportunity Commission, "Verizon to Pay \$20 Million to Settle Nationwide EEOC Disability Suit," Press release, July 6, 2011, available at [http://www.contractormisconduct.org/ass/contractors/74/cases/1821/2796/verizon-disability-discrim\\_eeocpr.pdf](http://www.contractormisconduct.org/ass/contractors/74/cases/1821/2796/verizon-disability-discrim_eeocpr.pdf)
53. USAspending.gov, last accessed October 18, 2014.
54. Occupational Safety and Health Administration, "U.S. Department of Labor's OSHA proposes \$2.78 million fine against Cintas Corp. following Tulsa, Okla., employee death in industrial dryer," Press release, August 16, 2007, available at [https://www.osha.gov/pls/oshaweb/owadisp.show\\_document?p\\_table=NEWS\\_RELEASES&p\\_id=14397](https://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=NEWS_RELEASES&p_id=14397); and United States Senate Health, Labor, and Pensions Committee, "Acting Responsibly?" Op. Cit.
55. United States Senate Health, Labor, and Pensions Committee, "Acting Responsibly?" Op. Cit.
56. Ibid.
57. Occupational Safety and Health Administration, "US Department of Labor's OSHA cites VT Halter Marine more than \$1.3 million for willfully exposing workers to toxic vapors in a confined space," Press release, May 19, 2010, available at [https://www.osha.gov/pls/oshaweb/owadisp.show\\_document?p\\_table=NEWS\\_RELEASES&p\\_id=17742](https://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=NEWS_RELEASES&p_id=17742)
58. United States Senate Health, Labor, and Pensions Committee, "Acting Responsibly?" Op. Cit.
59. <http://www.americanprogressaction.org/events/2013/11/22/79972/how-the-federal-contracting-system-harms-workers-and-taxpayers/>
60. Jason Sweat, "Op-ed: Federal contractors need to pay their employees fairly," The Salt Lake Tribune, Oct. 9, 2014.
61. C. Benjamin Ford, "Walter Reed janitors get paid, but late," Gazette Net, November 3, 2012, available at <http://www.gazette.net/article/20121113/NEWS/711139951/walter-reed-janitors-get-paid-but-late&template=gazette>
62. USAspending.gov, last accessed October 18, 2014.

