

# OSHA Severe Injury Data from 29 States: 27 Workers a Day Suffer Amputation or Hospitalization; Poultry Processing Among Most Dangerous Industries

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*Since January 2015, the U.S. Occupational Safety and Health Administration (OSHA) has required employers to report work-related severe injuries to the agency.<sup>1</sup> (Employers already were required to report work-related fatalities.) Employers must report when a worker suffers an amputation on the job, the loss of an eye, or another injury so severe that the worker is hospitalized for at least one night. The requirement applies to all covered employers in the 29 states under federal OSHA jurisdiction. (In 21 states and Puerto Rico, which run their own OSHA state plans, employers must report severe injuries to their individual state agencies.<sup>2</sup>)*

## Reporting of Severe Injuries in the Workplace

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Federal OSHA recently released a summary of all the severe injury reports it received from January 2015 through September 2016.<sup>3</sup> According to this new data, employers in the 29 states covered by federal OSHA notified the agency of 17,533 incidents of the most severe work-related injuries in the first 21 months of the new reporting requirement. That total includes 13,896 injuries where the worker was hospitalized, and 4,672 injuries where the worker suffered an amputation. (Included in the breakdown are 1,035 cases that involved both amputations and hospitalizations.)

This amounts to a staggering 27 workers a day suffering the most severe injuries on the job—and that number reflects reports in just over half the states.<sup>4</sup> Clearly, workers in the United States continue to be exposed to very dangerous work conditions. This is despite the fact that severe injuries can be prevented if these same employers followed basic safety rules set by OSHA over the past 45 years.

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**Employers in 29 states reported 17,533 incidents of severe injuries at work from Jan. 2015 through Sept. 2016. That's 27 severe injuries per day.**

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As expected, a close reading of the data reveals that some of the nation's largest employers have the highest number of reported severe injuries. Walmart, for example, with 1.3 million employees in the United States, has the second-highest number of reported incidents. But of great concern is the fact that much smaller companies also are reporting some of the largest numbers of severe injuries.

## Tyson Foods & Pilgrim's Pride: Of 14,000 Companies Reporting, Two Smaller Companies Near the Top for Severe Injuries

Two smaller companies that stand out among those reporting large numbers of severe workplace injuries are both in the chicken and meat processing industry: Tyson Foods, with one-tenth the size of Walmart's workforce (approximately 93,000 workers nationwide), has the fourth-highest number of reported severe injuries; and JBS/Pilgrim's Pride, another poultry and meat company, holds the sixth-highest spot. **(See Table 1.)**

Thus, out of more than 14,000 companies reporting, two chicken and meat processing companies rank fourth and sixth in terms of the number of reported severe injuries. Further, another company involved in poultry and meat, Cargill, has the 14<sup>th</sup>-highest number of reported severe injuries, as does a sanitation company, Packers Sanitation Services, which provides workers who clean and sanitize the equipment in meat and poultry plants.

**Table 1. Companies with the Most Federal OSHA Severe Injury Reports, January 2015 to September 2016**

Rank	Employer	Number of Reports
1	USPS	341
2	Walmart	128
3	UPS	119
4	Tyson Foods	70
5	Publix	60
6	JBS/Pilgrim's Pride	51
7	Walt Disney	44
8	Kroger	43
9	FedEx	39
10	Lowes	36
11	Waste Management	32
12	Coca-Cola	28
--	AT&T	28
14	Packers Sanitation	24
--	Pepsi	24
--	American Airlines	24
--	Cargill	24

The number of incidents reported by the meat and poultry processing industry is startling: in Tyson Foods plants<sup>5</sup> under federal OSHA over a 21-month period, the company reported 70 work-related amputations or hospitalizations; at JBS/Pilgrim’s Pride, the company reported that 51 workers suffered such severe injuries. This does not include data from major meat and poultry states such as Iowa, North Carolina, Maryland, and Virginia, which fall under state OSHA agencies.

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**Tyson Foods and Pilgrim’s Pride workers suffered amputations of fingers and hands, fractured hips from slippery floors, and chemical burns.**

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Workers at Tyson Foods and Pilgrim’s Pride suffered amputations of fingers and hands when the companies failed to provide machine safety guards, adequate training, or mandatory protective equipment. Workers were sent to the hospital for fractured hips from slippery floors and burns from chemical leaks.<sup>6</sup>

**Poultry Industry Among Highest in Severe Injuries Reported**

According to the data, the poultry industry as a whole reported 180 severe injuries resulting in hospitalizations or amputations—a number that put them at the 12<sup>th</sup>-highest number of severe injuries reported to federal OSHA. **(See Table 2.)** Workers in the industry suffered a greater number of serious injuries than much of the construction industry, the auto industry, the steel industry, saw mills, and many other high-risk industries. And these numbers only reflect instances in 29 states. Further, OSHA followed up with inspections in response to 86 of these reports, finding a total of 750 violations in the plants, of which 84 were willful or repeat violations that carry the highest fines.

Rank	NAICS Code	Frequency	Industry
1	622110	403	General Medical and Surgical Hospitals
2	213112	349	Support Activities of Oil and Gas Operations
3	236220	341	Commercial and Institutional Building Construction
4	491110	338	U.S. Postal Service
5	445110	327	Supermarkets and Other Grocery (except Convenience) Stores
6	238210	307	Electrical Contractors and Other Wiring Installation Contractors
7	237310	267	Highway, Street, and Bridge Construction
8	238160	246	Roofing Contractors
9	238220	208	Plumbing, Heating, and Air Conditioning Contractors

**Table 2. Industries with Highest Employer Severe Injury Reporting Nationwide (Federal OSHA), from January 2015 to September 2016**

10	561320	199	Temporary Help Services
11	493110	196	General Warehouse and Storage
12	311615	180	Poultry Processing
13	561730	173	Landscaping Services
14	238990	166	All Other Specialty Trade Contractors
15	326199	164	All Other Plastic Product Manufacturing
16	321113	159	Sawmills
17	236210	153	Industrial Building Construction

*Source: Federal OSHA Severe Injury Reports, available at: <https://www.osha.gov/severeinjury/index.html>. Does not include states with an OSHA-approved state plan.*

## Underreporting of Severe Workplace Injuries

There is strong empirical evidence that these numbers could be an undercount. A 2009 Government Accountability Office (GAO) report, along with numerous other studies, have documented that many workplace injuries are not reported by employers.<sup>7</sup> Further, according to a recent report issued by OSHA in 2016, “OSHA believes that many severe injuries—perhaps 50 percent or more—are not reported.”<sup>8</sup> Other studies have concluded that the actual number of work-related injuries is three times higher than what companies report.<sup>9</sup>

**Poultry workers suffered a greater number of serious injuries than much of the construction industry, the auto industry, the steel industry, saw mills, and many other high-risk industries.**

Three government agencies, OSHA, the National Institute for Occupational Safety and Health,<sup>10</sup> and the GAO,<sup>11</sup> have found that the poultry processing industry is underreporting the serious injuries that occur in the plants. OSHA has fined poultry plants for recordkeeping violations, most recently in January with a citation to Tyson Foods.<sup>12</sup> Further, recent agency inspections found that onsite medical units in poultry plants are actually set up to be obstacles to accurate reporting. In one poultry plant inspection in 2015, the OSHA area director stated: “The medical management practices at this facility create an environment of fear and distrust. The use of the first aid station to prevent injuries from being reported as required by law undermines the purpose of on-site treatment and leaves employees at risk of further injury. Discouraging workers from reporting injuries is unacceptable.”<sup>13</sup>

In 2016, OSHA issued only the second citation of its kind in the agency's 47-year history to Pilgrim's Pride, alleging that "the employer delayed evaluation, care, and/or treatment from a medical provider, which could result in health hazards such as, but not limited to, increased risk of further injury, prolonged healing, exacerbation of pain and limited recovery from work-related injuries/illnesses." The citation went on to describe that Pilgrim's Pride "failed to make timely appropriate medical referrals for employees with injuries related to chronic and acute exposures and incidents. The employees are exposed to injuries which include burns, loss of consciousness, and blunt force trauma which require appropriate evaluation and treatment."<sup>14</sup>

## **Addressing Unsafe and Inhumane Working Conditions**

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A review of the OSHA citations issued to JBS/Pilgrim's Pride and Tyson Foods<sup>15</sup> underscores the serious safety hazards workers face in these plants. In just 2016 alone, OSHA fined Tyson Foods more than \$700,000 for safety and health violations. JBS/Pilgrim's Pride received more than \$328,000 in fines for OSHA violations.

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## **Reports have documented poultry workers being denied their legal right to use the bathroom.**

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Workers in the nation's poultry and meat plants face harsh and dangerous conditions. Data from the Bureau of Labor Statistics reveal that poultry workers suffer a work-related injury and illness at rates 1.6 times higher than other workers, and meatpacking workers at a rate twice as high. The reported rate of occupational illnesses in poultry plants is of particular concern, with rates remaining at more than six times the average for all U.S. industries.<sup>16</sup> In the past few years, numerous reports have documented the unsafe and inhumane conditions poultry workers face—including being denied their legal right to use the bathroom.<sup>17</sup> Because of these harsh conditions, many plants report turnover of between 50 to 100 percent. Poultry processing workers make thousands of forceful cuts a day using knives and scissors in cold and damp conditions, with acidic chemicals often being sprayed over the carcasses, and incidentally over the workers themselves, as the meat move down the line. The speed of work in poultry plants already causes far too many workplace injuries.<sup>18</sup>

## **Expand Targeted Enforcement**

In 2015, as a response to the high injury and illness rates documented by the Bureau of Labor Statistics, federal OSHA initiated targeted "Special Emphasis Enforcement Programs" in poultry plants in regions in the South, Southwest, and Midwest. Unfortunately, states with state-run agencies, such as North Carolina with 49 poultry plants and Virginia with 19 poultry plants, have not implemented such programs. The data from OSHA's severe injury reporting program makes clear that these enforcement programs should continue—and should be adopted by state-plan OSHAs in poultry processing states. Further, the unsafe conditions and high number of serious injuries in this industry also underscore the imperative that the U.S. Department of Agriculture prohibit any speed-up of the lines in the meat or poultry industry.

The data reported by OSHA also sheds light on the dangerous conditions facing the thousands of workers hired by sanitation companies to clean meat and poultry plants, such as Packers Sanitation Services, which has the 14<sup>th</sup>-highest number of reported severe injuries. These sanitation workers enter the plants often overnight during the “third shift” and are responsible for cleaning floors, machinery, and all product-contact surfaces throughout the plant to comply with U.S. Department of Agriculture requirements. In 2005 and again in 2016, the GAO noted that OSHA expressed concerns that sanitation work is one of the most hazardous occupations in the poultry industry. The GAO concluded that OSHA was unaware of the extent of the injuries facing workers who clean poultry and meat plants, because of the way workers’ injuries are classified in the BLS data system. These workers often suffer the most serious injuries.<sup>19</sup> It is imperative that OSHA’s targeted inspection programs in the meat and poultry industry, as well as its targeted program in industries with amputation hazards, include coverage of these third-shift sanitation workers in meat and poultry plants. These firms have escaped government attention for too long.

## Conclusion

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The poultry industry has the resources to implement required safety measures, provide the required safety training in a manner that workers can understand, provide access to prompt and adequate medical care for workers injured on the job, and increase staffing to ensure that relief workers are available to allow for line-worker bathroom breaks and to ensure that lines are fully staffed. The workers who put food on our table should not have to sacrifice their health for a paycheck.

## Endnotes

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<sup>1</sup> “Report a Fatality or Severe Injury,” Occupational Safety and Health Administration, accessed April 14, 2017, <https://www.osha.gov/report.html>.

<sup>2</sup> State plans include: Alaska, Arizona, California, Hawaii, Indiana, Iowa, Kentucky, Maryland, Michigan, Minnesota, Nevada, New Mexico, North Carolina, Oregon, Puerto Rico, South Carolina, Tennessee, Utah, Vermont, Virginia, Washington, and Wyoming.

<sup>3</sup> “Severe Injury Reports,” Occupational Safety and Health Administration, accessed April 14, 2017, <https://www.osha.gov/severeinjury/index.html>. Data from first 15 months calculated by AFL CIO Safety and Health Department.

<sup>4</sup> “Table of OSHA-Approved State Plans: Basic Facts and Information,” Occupational Safety and Health Administration, accessed April 14, 2017, [https://www.osha.gov/dcsp/osp/approved\\_state\\_plans.html](https://www.osha.gov/dcsp/osp/approved_state_plans.html). The data from the other 21 states and Puerto Rico is not collected by the Federal government, but by State agencies. Some states have just initiated the reporting requirement. Others followed the Federal implementation dates. None have posted their data online. However, through FOIA, NELP has found that the State OSHA in North Carolina, received 317 reports of work related amputations and hospitalizations from September 1, 2016 through January 2017.

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- <sup>5</sup> “Tyson Foods Across the U.S.,” Tyson Foods, Inc., accessed April 14, 2017, <http://www.tysonfoods.com/our-story/locations>.
- <sup>6</sup> “Severe Injury Reports.”
- <sup>7</sup> Kathleen M. Fagan and Michael J. Hodgson, “Under-recording of work-related injuries and illnesses: An OSHA priority,” *Journal of Safety Research* (2016), accessed April 25, 2017, doi:10.1016/j.jsr.2016.12.002, Kathleen M. Fagan and Michael J. Hodgson, “Under-recording of work-related injuries and illnesses: An OSHA priority,” *Journal of Safety Research* (2016), accessed April 25, 2017, doi:10.1016/j.jsr.2016.12.002; “Hidden Tragedy: Underreporting of Workplace Injuries and Illnesses,” accessed April 25, 2017, <https://www.bls.gov/iif/laborcommreport061908.pdf>; “Hidden Tragedy: Underreporting of Workplace Injuries and Illnesses,” accessed April 25, 2017, <https://www.bls.gov/iif/laborcommreport061908.pdf>.
- <sup>8</sup> David Michaels, “Year One of OSHA’s Severe Injury Reporting Program: An Impact Evaluation,” Occupational Safety and Health Administration (2016), accessed April 25, 2017, <https://www.osha.gov/injuryreport/2015.pdf>.
- <sup>9</sup> Kenneth D. Rosenman et al, “How Much Work-Related Injury and Illness is Missed By the Current National Surveillance System?” *Journal of Occupational and Environmental Medicine* 48 (2016), accessed April 25, 2017, doi: 10.1097/01.jom.0000205864.81970.63, <https://msu.edu/~kalush/projects/JOEMWorkplaceInjuries.pdf>.
- <sup>10</sup> Jessica G. Ramsey et al, “Evaluation of Carpal Tunnel Syndrome and Other Musculoskeletal Disorders among Employees at a Poultry Processing Plant,” National Institute for Occupational Safety and Health (2015), accessed April 25, 2017, <https://www.cdc.gov/niosh/hhe/reports/pdfs/2014-0040-3232.pdf>.
- <sup>11</sup> “Workplace Safety and Health: Additional Data Needed to Address Continued Hazards in the Meat and Poultry Industry,” U.S. Government Accountability Office, accessed April 25, 2017, <http://www.gao.gov/products/GAO-16-337>.
- <sup>12</sup> “OSHA Inspection: 1165129.015 - Tyson Foods, Inc./Tyson Foods,” Occupational Safety and Health Administration, accessed April 23, 2017, [https://www.osha.gov/pls/imis/establishment.inspection\\_detail?id=1165129.015](https://www.osha.gov/pls/imis/establishment.inspection_detail?id=1165129.015).
- <sup>13</sup> “OSHA Regional News Brief – Region 3: Deficient medical management leads to musculoskeletal injuries at Delaware poultry processing plant,” Occupational Safety and Health Administration, accessed April 25, 2017, [https://www.osha.gov/pls/oshaweb/owadisp.show\\_document?p\\_table=NEWS\\_RELEASES&p\\_id=28659](https://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=NEWS_RELEASES&p_id=28659).
- <sup>14</sup> “Citation and Notification of Penalty to Pilgrim’s Pride Corporation,” Occupational Safety and Health Administration, accessed April 25, 2017, <https://www.dol.gov/sites/default/files/newsroom/newsreleases/OSHA20161541b.pdf>.
- <sup>15</sup> OSHA Establishment Search, accessed March 24, 2017, <https://www.osha.gov/pls/imis/establishment.html>.
- <sup>16</sup> “Injuries, Illnesses, and Fatalities,” Bureau of Labor Statistics, accessed April 25, 2017, <https://www.bls.gov/iif/oshsum.htm>.
- <sup>17</sup> “Lives on the Line,” OXFAM America, accessed April 25, 2017, <https://www.oxfamamerica.org/livesontheline>; “Unsafe at These Speeds,” Southern Poverty Law Center (2013), accessed April 25, 2017, <https://www.splcenter.org/20130228/unsafe-these-speeds>.
- <sup>18</sup> “Testimony of Deborah Berkowitz On FY 2017 Appropriations for Food Safety & Inspection Service, Re: New Poultry Inspection Program,” House Appropriations Committee. Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies (2016), accessed April 25, 2017, <http://www.nelp.org/content/uploads/NELP-Testimony-Food-Safety-Poultry-Inspection-FY2017-Appropriations.pdf>.
- <sup>19</sup> “OSHA News Release – Region 5: Teen contractor loses leg, co-worker loses fingers at Case Farms Chicken processor racks up more than \$1.4M in OSHA penalties in 2015,” Occupational Safety and Health Administration, accessed April 25, 2017, [https://www.osha.gov/pls/oshaweb/owadisp.show\\_document?p\\_table=NEWS\\_RELEASES&p\\_id=28803](https://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=NEWS_RELEASES&p_id=28803).