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United States Senate

COMMITTEE ON HEALTH, EDUCATION,
LABOR, AND PENSIONS

WASHINGTON, DC 20510-6300

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January 22, 2024

VIA ELECTRONIC TRANSMISSION

Randall M. Day
Chief Executive Officer
Perdue Farms, Inc.
31149 Old Ocean City Road
Salisbury, Maryland 21801

Dear Mr. Day:

I write regarding the Department of Labor's (DOL) investigation into Perdue Farms, Inc. (Perdue) and the troubling reports that a minor was severely injured while working in one of your facilities.¹ As detailed by New York Times Magazine, a 14-year-old boy from Guatemala was maimed by a conveyer belt while working the overnight shift at a Perdue slaughterhouse in rural Virginia.² It is further alleged that management had knowledge it was engaging in unlawful acts, and stopped the child laborers from leaving work early to catch their school buses because it could be seen as "a tacit admission that the shift was filled with minors."³

Unfortunately, Perdue is not the only company found to have employed minors unlawfully. The issue of illegal child labor has recently been exposed throughout the meat-packing industry, and has resulted in a significant increase in child labor enforcement actions, fines from DOL ranging in the millions of dollars, and court orders to individual companies to cease and desist all illegal child labor violations.⁴ The increase in your industry alone raises serious questions about the meat-packing industry's business practices, and the ways Congress can ensure all children—especially those who immigrated to the United States and are particularly vulnerable to the harms of working under dangerous conditions—receive the protection they deserve. Perdue's failure to live up to its responsibilities as a leader in the meat packing and processing industry also raises substantial questions about its employment practices throughout the country.

¹ Hannah Dreier, *The Kids on the Night Shift*, THE NEW YORK TIMES MAGAZINE (Sept. 18, 2023), <https://www.nytimes.com/2023/09/18/magazine/child-labor-dangerous-jobs.html>.

² *Id.*

³ *Id.*

⁴ *Child Labor Enforcement: Keeping Young Workers Safe*, U.S. DEP'T OF LAB., <https://www.dol.gov/agencies/whd/data/child-labor#:~:text=In%20FY%202023%2C%20we%20concluded,increase%20from%20the%20previous%20year> (last visited Nov. 27, 2023); *Julie Su, Acting Sec'y of Lab. v. Monogram Food Sol. et al*, No. 23-cv-2007 (July 6, 2023) (Consent Order and Judgment), <https://www.dol.gov/sites/dolgov/files/OPA/newsreleases/2023/07/SOL20231505.pdf>.

Earlier this year, Senator Bernie Sanders and I sent a letter to Packers Sanitation Services, Inc. (PSSI) following reports that PSSI employed more than 102 children between 13 to 17 years of age in hazardous conditions and had them working overnight shifts at meat processing facilities.⁵ In furtherance of this effort to examine your industry, and in order to better understand the steps Perdue has taken and intends to take to ensure that it no longer employs child laborers, I ask that you answer the following questions, on a question-by-question basis, by February 5, 2024. For those questions that require the production of documents, we request that these documents be unredacted and produced in electronic form.

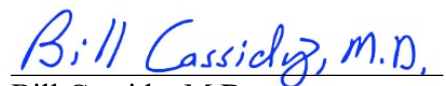
1. What steps does Perdue take to ensure that, in the event it hires minors to work at any of its locations or facilities, those minors do not work in prohibited and/or dangerous locations or perform prohibited and/or dangerous tasks?
 - a. In addition to answering this question please produce a copy of all Perdue's policies that relate to hiring and/or employing minors at any Perdue location or facility.
 - b. Does Perdue use a single, uniform policy across its locations and facilities? If not, please explain why.
2. Does Perdue provide training materials for its managers relating to its compliance with child labor law provisions of the Fair Labor Standards Act (FLSA)?
 - a. In addition to answering this question, please produce a copy of Perdue's training materials for all managers that relate to compliance with child labor law provisions of the FLSA.
 - b. Does Perdue use uniform training materials across its locations and facilities? If not, please explain why.
3. Has Perdue taken any adverse employment actions against current or former managers since January 1, 2022 related to any violations or alleged violations of the child labor provisions of the FLSA? If so, please provide the following information:
 - c. The location(s) where the management personnel was employed;
 - d. The nature of the violation; and,
 - e. The date Perdue took the adverse employment action.
4. What policies, procedures, and/or other system(s) does Perdue use to confirm the eligibility of their employees to work in the United States?

⁵ *Ranking Member Cassidy, Chair Sanders Seek Answers on Child Labor Violations*, UNITED STATES SENATE COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS (Mar, 30, 2023), <https://www.help.senate.gov/ranking/newsroom/press/ranking-member-cassidy-chair-sanders-seek-answers-on-child-labor-violations>.

- f. If Perdue uses E-Verify and/or other web-based systems, does Perdue ensure that management personnel do not misuse these systems or engage in unreported employment? If so, how?
5. Has Perdue contracted with a third-party company to perform its cleaning and sanitation services at any of its meat-packing or slaughterhouse facilities since January 1, 2021? If so, which one?
 - a. If so, does Perdue still contract for those cleaning and sanitation services?
 - b. If Perdue no longer contracts with any third-party company to perform its cleaning and sanitation services, does Perdue now employ all cleaning and sanitation employees itself?

Thank you for your prompt attention to this matter.

Sincerely,


Bill Cassidy, M.D.
Ranking Member
U.S. Senate Committee on Health
Education, Labor, and Pensions