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**Precarity Capitalism and the Global Value Chain in Beef:  
The Plight of Meatpacking Workers at JBS Greeley**

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## **ABSTRACT**

Of the many jobs categorized as "essential" during the first wave of the COVID-19 pandemic, the continued operation of American meatpacking plants stood out. This work was 1) unrelated to critical healthcare services, 2) primarily staffed by minority and immigrant workers, and 3) conducted in conditions that seemed ideal for the coronavirus' spread. Why and how did meatpacking facilities then remain open through the spring and summer of 2020, despite the proliferation of facility-linked COVID-19 hotspots and worker deaths? Drawing from authors of legal theory on racial capitalism, self-regulatory behavior by transnational corporations, and "precarity capitalism," this paper builds context for this phenomenon through a case study on JBS USA Beef in Greeley, Colorado, the flagship facility for the American branch of world-leading meat producer JBS S.A. based in Brazil. It frames the protracted battle over production and worker safety as a standoff between workers of minority racial status, in precarious economic and labor conditions, and a winning coalition of powerful political and corporate stakeholders invested in the global value chain in beef.

## **KEYWORDS**

critical theory, precarity capitalism, racial capitalism, global value chains, capitalism, critique, transnational corporations, labor movement, labor unions, COVID-19, pandemic

# **Precarity Capitalism and the Global Value Chain in Beef: The Plight of Meatpacking Workers at JBS Greeley**

John Fossum

## **Introduction**

Meatpacking facilities were some of the earliest “hotspots” of COVID-19 in rural America. In the early spring of 2020, at the height of the first wave of the COVID-19 pandemic, clusters of the virus emerged among meatpacking workers across the United States. By May, rural counties with meatpacking facilities had COVID-19 rates five times higher than the rest of the country.<sup>1</sup> By December 2020, about 50,000 American meatpacking workers had confirmed cases of the virus and 254 were dead.<sup>2</sup>

Was it despite the high rate of spread among meatpacking workers, or because of it, that these workers were declared “essential” and labored through the first wave of the pandemic? In this paper, I explore a few key political and economic forces that led meatpacking plants to remain open. The focus will be a case study analysis of one meat industry corporation and one meatpacking facility: JBS USA’s beef plant in Greeley, Colorado. Greeley is the national headquarters for JBS USA, a subsidiary of the Brazil-based transnational corporation (TNC) JBS SA. JBS Greeley was also one of the first meatpacking plants to gain national attention as a hotspot for the virus, starting in March 2020. By May, eight JBS Greeley employees had died from COVID-19, the most of any facility in the US to date. Seven of those employees were meatpacking workers, and all of them were people of color.

The timeline of the COVID-19 response in Greeley offers insight into the priorities of political leaders, corporate actors, and workers, and the tools they have available to shape policy. Through the Greeley case study, I argue that the future for meatpacking workers is being determined by a system that emerged from globalization and the consolidation of global value chains, identified by political economist Alena Azmanova as “precarity capitalism.” I argue that the concerns of workers are buried by national economic considerations and de-legitimized due to those workers’ racial status. Finally, I review the most promising policy options, and their pitfalls, for labor advocates and other actors in the global value chain who are laboring to recapture the value of their work.

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<sup>1</sup> Douglas, Leah and Tim Marema (May 28, 2020) “When Covid-19 hits a rural meatpacking plant, county infection rates soar to five times the average.” *Food & Environment Reporting Network (FERN)*. <https://thefern.org/2020/05/when-covid-19-hits-a-rural-meatpacking-plant-county-infection-rates-soar-to-five-times-the-average/>.

<sup>2</sup> Douglas, Leah (April 22, 2020) “Mapping Covid-19 outbreaks in the food system.” *Food & Environment Reporting Network (FERN)*. <https://thefern.org/2020/04/mapping-covid-19-in-meat-and-food-processing-plants/>.

## The Precarity Capitalism Framework

The precarity capitalism framework is set within a world-system analysis that observes nation-states in competition for the value of global production, which itself has consolidated into economic sectors controlled by quasi-monopolistic firms. Sectoral hegemonies, or market and regulatory dominance in a sector, permit the economic actors within the hegemony to maintain their elevated economic status, and thus their share of market value. Precarity capitalism emerges from the divergence of power in the global value chain, between public authorities, workers, and firms. As transnational corporations (hereafter: TNCs) accumulate capital and mobilize production across global supply chains, other actors lose bargaining power and public policymaking becomes increasingly oriented towards the best interests of corporations.

The supply chain of beef, like any commodity chain, can be reimagined as a value chain in which the value of production is assigned in proportion to the relative power of actors within the process. As Jennifer Clapp discusses in her 2012 text *Food*, value chains are shown to be vertically stratified based on processing, with a greater share of the value of production returning to intermediary processors, which characterizes the largest TNCs in food.<sup>3</sup> Due to the capital-intensive nature of commodity processing, those processors tend to be incorporated in, or financed by, “core” states. So global value chains tend to reaffirm the core-periphery organization of the world system.<sup>4</sup>

To better understand the roles of actors in core states, those states can be further divided into core economies, and then economic sectors in which the greatest amount of capital-intensive production is taking place. In her introduction to *Commodity Chains in and of the World System* (2014), political economist Jennifer Bair refers to these core economic sectors as “sectoral hegemonies,” referring to the ability of actors situated in the core sector to establish regulatory frameworks for the entire system and apportion themselves the greatest share of production value.<sup>5</sup> The greater a country’s control of the economic sector (e.g. meatpacking and processing), the greater value of the total supply chain can be captured by actors associated with the country.

States are actively competing for sectoral hegemony, best understood as geographic jurisdictions, governed by regulation, in which production takes place. Their interests overlap with private actors, firms and laborers, each group having a vested interest in capturing their share of economic value of production. Actors can “upgrade” by physically moving into a sectoral hegemony, or by creating a hegemony through an alliance with multiple actors who form a global

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<sup>3</sup> Clapp, Jennifer. *Food*. Polity Press (2012). Pp. 95.

<sup>4</sup> Bair, Jennifer. "Editor's Introduction: Commodity Chains in and of the World System." *Journal of World-Systems Research* (2014): 1-10. 4-5

<sup>5</sup> Bair, 4-5

value chain.<sup>6</sup> However, states and laborers are largely stationary, while the capital assets of firms are relatively mobile and highly marketable around the world.

It is into this era of global competition for sectoral hegemony that political economist Albena Azmanova enters with her book *Capitalism on Edge* (2020). Azmanova cites the post-1980s world economy as the product of globalization-facilitating technologies, deregulation, and free trade agreements.<sup>7</sup> Together, these phenomena incentivized leading firms to pursue greater economies of scale through mergers and acquisitions, which in the past 30 years has reversed a period of new firm proliferation and ushered in a new era of corporate oligarchy.<sup>8</sup> Azmanova's key contribution to this discussion is the mechanism by which alliances between democratic states and firms are politically legitimized and the consequences of those alliances justified by economic necessity.

These connections are accepted as a given in the United States. Politicians openly court the support of firms based in their polity. Corporate aid, including not only favorable tax and trade regimes but also corporate-friendly regulatory policy, is considered necessary to maintain dominance in the global market.<sup>9</sup> Social welfare, including public spending and worker protections, are desirable but secondary priorities.<sup>10</sup> Worker's sacrifices to uphold sectoral hegemony are justified as "essential" to keep America competitive. Azmanova argues that this permissive structure undermines the traditional "legitimacy deal" between citizens and authorities under democratic capitalism or the intimate connection between economic risks and opportunities.<sup>11</sup> The state has passed corporate risk over to the public, or to workers and taxpayers, and legitimized their economic policy as necessary to maintain the economic lifestyle of the public.<sup>12</sup> Elite state and corporate actors move the social costs of economic policies, the human cost, outside of the political discourse.

As one half of the state-corporate alliance, the profit goals of TNCs inform the policymaking that supports their success. The corporate bargaining chip in lawmaking is significant. Whereas states have a unique rule-making authority in the world-system, globalization has provided TNCs with the ability to reorganize or relocate production while still maintaining a global supply chain.<sup>13</sup> Firms can "upgrade" by moving into sectoral hegemonies and improve their

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<sup>6</sup> Bair, 4

<sup>7</sup> Azmanova, Albena. *Capitalism on Edge: How Fighting Precarity Can Achieve Radical Change Without Crisis or Utopia*. Columbia University Press (January, 2020). Pp. 108.

<sup>8</sup> *Ibid.*

<sup>9</sup> Azmanova, 109

<sup>10</sup> Azmanova, 124

<sup>11</sup> Azmanova, 131

<sup>12</sup> *Ibid.*

<sup>13</sup> The ability to relocate capital and/or re-incorporate in another country or national jurisdiction is not limited to transnational corporations (TNCs). To the extent that their capital can be mobilized, wholly domestic firms also enjoy

ability to capture value. Alvarado Santos and colleagues at the Institute for Global Law and Policy (IGLP) identify the law, either jurisdictional or organizational, as “the vehicle through which value is generated, captured and distributed.”<sup>14</sup> On the decision-making of firms, Santos argues in 2016:

“A firm makes decisions on where to site production based on a mixture of factors such as the legal requirements it will face, how likely it is that such requirements will be policed and enforced by public authorities, as well as an assessment of the likelihood that labour unions, or other external forces such as social movements, NGOs or public interest lawyers, may challenge its actions.”<sup>15</sup>

The law represents not only formal legal regimes, but also the informal way in which laws are applied; it further includes the formal or informal rules imposed by a firm privately, in the absence of state regulation.<sup>16</sup> Azmanova’s precarity capitalism framework contends that the modern period began with neo-liberal deregulation that was not followed by state actors with new regulatory frameworks.<sup>17</sup> Firms are now essential regulators, or self-regulators, filling a space abdicated by public authorities.

In her essay *Global Governance, Legal Pluralism, and the Decentered State* (2001), Adelle Blackett observes that corporate codes of conduct that emerge in deregulated spaces, notably in labor relations, “remain short documents reminiscent of due diligence instruments, issued by head offices of [TNCs] and containing vague assertions that local labor standards will be respected.”<sup>18</sup> Blackett observes three key behaviors of self-regulating firms relevant to this case study: “local standards” in this case refers to the consumer, not the worker;<sup>19</sup> self-regulation extends to mediation with labor, allowing firms to improve their bargaining position and institutionalize negotiations that would “traditionally be addressed through one of two means: protective legislation (...) or collective bargaining;”<sup>20</sup> and when state regulations are present, TNCs are often able to selectively acquiesce to state regulators or avoid enforcement altogether.<sup>21</sup> To these observations, one more will be added to understand the way in which firms improve their

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this ability. The justification for a focus on TNCs is twofold: (1) these firms are better positioned to mobilize capital because they already hold assets internationally; (2) TNCs are positioned to avoid existing legal frameworks based on the location of specific production processes. (See *Food* 2014, Chapter 4 “Transnational Corporations”)

<sup>14</sup> Santos, Alvaro et. al; The IGLP Law and Global Production Working Group (IGLP) “The Role of Law in Global Value Chains: A Research Manifesto,” London Review of International Law, Volume 4, Issue 1, 1 March 2016, Pages 57–79, <https://doi.org/10.1093/lril/rw003>.

<sup>15</sup> IGLP, 65

<sup>16</sup> IGLP, 73

<sup>17</sup> Azmanova, 108

<sup>18</sup> Blackett, Adelle. “Global Governance, Legal Pluralism and the Decentered State: A Labor Law Critique of Codes of Corporate Conduct.” *Indiana Journal of Global Legal Studies* vol. 8, no. 2, (Spring, 2001): 401-447. Pp. 411. Indiana University Press. <https://www.jstor.org/stable/20644777>.

<sup>19</sup> Blackett, 412

<sup>20</sup> Blackett, 422

<sup>21</sup> Blackett, 416

bargaining position with labor: racial capitalism.<sup>22</sup>

In *Black Marxism* (2000), Cedric Robinson delivers a critique of the Marxist framework that centers the class-based struggle within capitalism, instead suggesting that racialization undergirds class as the lynchpin of the capitalist world-system.<sup>23</sup> IGLP acknowledges that labor norms “surrounding the treatment of ethnic, racial and religious groupings establish hierarchies of access that structure the ability of these groups to create and extract ‘value’ through participation in [global value chains].”<sup>24</sup> Put simply, the racialization of workers can be exploited to extract value in the production process. While some relevant impacts of worker racialization occur outside of labor “market exchange,” such as welfare or housing discrimination, other consequences of racial capitalism are the product of self-regulating firms.<sup>25</sup>

The JBS Greeley case study therefore highlights a symbiosis between precarity and racial capitalism. Rather than offering competing explanations for what we see in the world, racial capitalism reinforces precarity capitalism, by de-legitimizing and criminalizing workers who fight back in response to the social costs of production. I identify three racial tactics utilized to undermine labor power: withholding information from non-English speakers, hiring immigrant workers facing legal precarity, and setting racialized worker groups against one another.

Azmanova points out that the social cost of pro-production economic policies is made legitimate to maintain a certain way of life. If racialized workers were included in that calculation, we may have seen a different outcome in Greeley, CO.

## **The JBS Greeley Case Study**

### *The Meat Industry and JBS*

The US meat industry is deeply embedded in the precarity capitalist system. Domestic production is controlled by a handful of TNCs strategically placed at the intermediate processing bottleneck in the global trade in the meat between cattle ranchers and consumers. The beef industry is a model of quasi-monopoly, with four companies in ownership of 85% of American cattle processing: JBS USA, Tyson Foods, Cargill, and Smithfield.<sup>26</sup>

Based in Brazil, JBS SA is the largest meat-producing company in the world. Its US branch, JBS USA, accounts for 51% of the company’s total annual revenue.<sup>27</sup> JBS operations in the

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<sup>22</sup> Racial and precarity capitalism are introduced here as unique constructions. However, these theories are in discussion with one another in their respective texts, despite “precarity capitalism” being coined decades later.

<sup>23</sup> Robinson, Cedric J. *Black Marxism: The making of the Black radical tradition*. Univ of North Carolina Press (2000).

<sup>24</sup> IGLP, 72

<sup>25</sup> *Ibid.*

<sup>26</sup> *Provisioner Online*, “The 2018 Top 100 Meat & Poultry Processors.” <https://www.provisioneronline.com/2018-top-100-meat-and-poultry-processors>.

<sup>27</sup> JBS SA official website, “Where We Are.” <https://jbs.com.br/en/about/where-we-are/>.



United States include a diverse portfolio of beef, chicken, and pork products, from whole slaughtered and frozen animals to packaged meats and rendered fats.<sup>28</sup> The company employs more than 60,000 workers nationwide and buys from approximately 11,000 farmers and ranchers.<sup>29</sup> In Greeley, JBS USA operates a beef processing facility for Certified Angus Beef and variations of Swift brand beef. These cuts are available in grocery stores nationwide and JBS Greeley exports 30% abroad.<sup>30</sup> JBS Greeley employs over 3,000 meatpacking workers, partners with more than 500 producer-ranchers, and makes over \$2 billion in cattle purchases every year.<sup>31</sup> They are not only a large employer in the city but a major source of income for hundreds of ranchers in the state of Colorado.

JBS USA is itself the product of an intensive “upgrading” campaign by its parent company in Brazil, attributing “core” status to the US market as a platform for greater value capture and capital accumulation. JBS SA entered the US market in 2007 with the purchase of Swift & Company for \$1.4 billion.<sup>32</sup> Over the past decade, JBS SA has climbed to the top of the US production market through a series of mergers and acquisitions, rebranding its US as “JBS USA.” The company emerged as the lead beef producer in the US, with US production more than doubling the revenue of its product in Brazil.<sup>33</sup> In June, JBS CEO Gilberto Tomazoni gave an interview in which he said that the corporation’s primary goal is to go public and shift international corporate headquarters to the US. The principal reason he gave for this shift was market value. “Compared to our peers in the USA, they have lower revenues, lower cash generation, and greater debt. However, they have a market value 50% higher than ours,” he states. If JBS can reposition itself as an American company, he reasons, it will have greater access to low-cost capital.<sup>34</sup>

The process of upgrading to US production was also the product of corruption and theft from the Brazilian development bank, yet another outcome of globalization in the present world-system. In *Global Inequality* (2016), economist Branko Milanović posits that wealthy actors in developing economies are newly mobile in the globalized world-system, and therefore incentivized to mobilize capital out of developing countries rather than adhering to and developing the local

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<sup>28</sup> JBS USA official website, “Locations.” <https://jbsa.com/about/locations/#>.

<sup>29</sup> Kindy, Kimberly (November 7, 2019) “This foreign meat company got U.S. tax money. Now it wants to conquer America.” *The Washington Post*. <https://www.washingtonpost.com/politics/this-foreign-meat-company-got-us-tax-money-now-it-wants-to-conquer/>.

<sup>30</sup> JBS USA, “Locations.”

<sup>31</sup> *Ibid.*

<sup>32</sup> Jelmayer, Rogerio (May 29, 2007) “Brazil’s JBS buys Swift Foods for \$1.4 bln.” *Marketwatch*. <https://www.marketwatch.com/story/brazils-jbs-buys-swift-foods-for-14-bln>. [Note: The JBS-Swift deal included \$1 billion in assumed debts and \$400 million paid in cash.]

<sup>33</sup> JBS SA, “Where We Are.”

<sup>34</sup> Sambrana, Carlos (October 6, 2020) “‘Abrir o capital nos EUA é o nosso principal projeto’, diz o CEO global da JBS. *Neofeed*. Translated from Portuguese to English. <https://neofeed.com.br/blog/home/abrir-o-capital-nos-eua-e-o-nosso-principal-projeto-diz-o-ceo-global-da-jbs/>.

rule of law.<sup>35</sup> In October 2020, JBS SA pled guilty to foreign bribery charges, admitting to over \$150 million in bribery payments through US banks to Brazilian state officials. State-controlled Brazilian development banks BNDES and Caixa Economica Federal provided “hundreds of millions” in loans to JBS because of the bribes, providing the credit necessary for the company to develop its capital footprint in the US.<sup>36</sup> JBS has committed to paying \$256 million in fines to settle the case, but it maintains its capital purchases and its leading status in the US meat processing industry.

US status as a core economy in the world-system is an aggregation of industry sectoral hegemonies. It follows that the more precarious these sectoral hegemonies become, the more invested public authorities will be in strengthening alliances between the state and monopolist firms. JBS earnings in 2020 provide evidence of a hegemonic shift that may concern US officials. Despite a slowdown in production and revenue in the US in the second fiscal quarter of 2020, JBS SA overall enjoyed a 32.9% increase in net revenue over the period.<sup>37</sup> In a reversal of a decades-long trend, the large jump is attributed to production in Brazil in response to significant growth in Chinese demand.<sup>38</sup> JBS SA in Brazil was well-positioned to take advantage of favorable terms of trade, due to depreciation of the Brazilian Real that made Brazilian exports more competitive,<sup>39</sup> and high demand for pork in China after the decimation of their domestic stock due to African swine fever.<sup>40</sup> This shift in exports towards China could be seen as a challenge to American sectoral hegemony in pork production, which would place US officials under pressure to assist

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<sup>35</sup> Milanović, Branko (2016) *Global Inequality: A New Approach for the Age of Globalization*. *The Belknap Press of Harvard University Press*, pp. 192. Cambridge, Massachusetts. ISBN 9780674737136. 138-139. [Note: Milanović is referencing Coase Theorem, a hypothesis in microeconomics which posits that the emergence of property rights and market exchange laws occurs in conjunction with economic development, because newly wealthy actors seek to protect their capital. He believes that Coase Theorem no longer applies in the global age.]

<sup>36</sup> Godoy, Jody and Sabrina Valle (October 14, 2020) “Parent of Brazil’s JBS pleads guilty to U.S. foreign bribery charges.” *Reuters*. <https://www.reuters.com/article/us-j-f-brazil-crime/parent-of-brazils-jbs-pleads-guilty-to-u-s-foreign-bribery-charges>.

<sup>37</sup> Crews, Joel (November 13, 2020) “JBS reports positive results in Q3.” *Meat+Poultry*. <https://www.meatpoultry.com/articles/24100-jbs-reports-positive-results-in-q3>.

<sup>38</sup> Plume, Karl (September 22, 2020) “Surge in U.S. pork exports to China led by Brazil’s JBS, China’s WH Group.” *Reuters*. <https://www.reuters.com/article/us-usa-trade-china-pork/surge-in-u-s-pork-exports-to-china-led-by-brazils-jbs-china>.

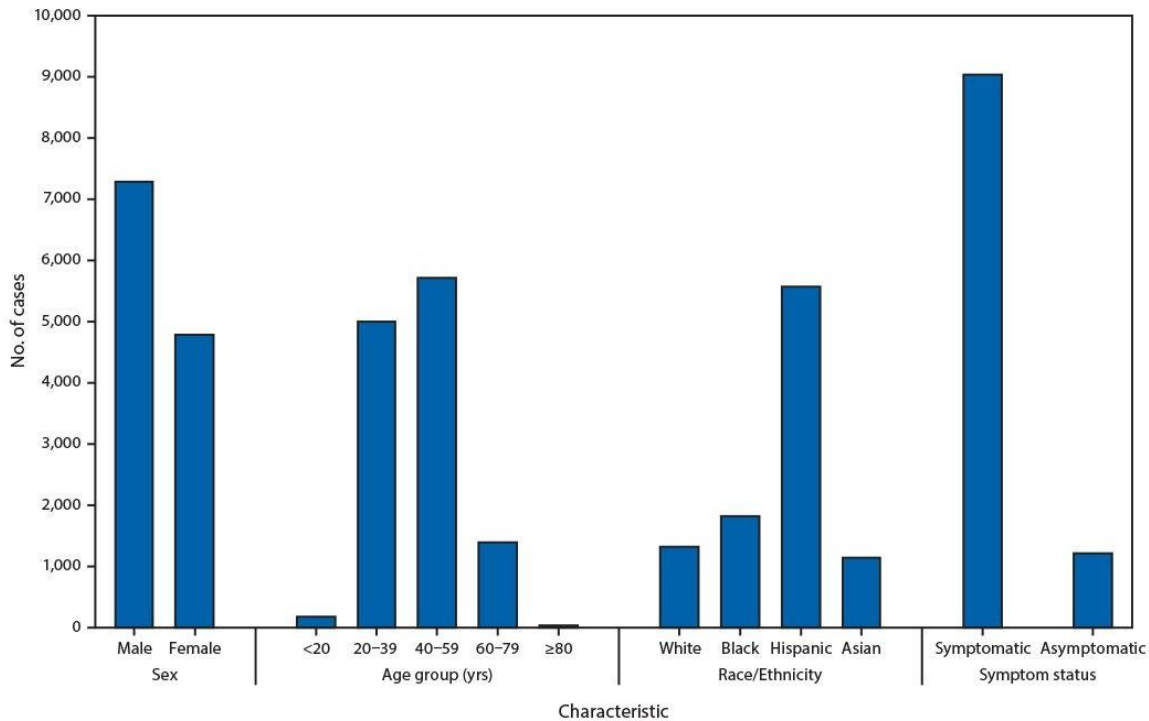
<sup>39</sup> Welshans, Krissa (October 14, 2020) “Brazil’s emergence as top competitor rooted in currency depreciation.” *Feedstuffs*. <https://www.feedstuffs.com/markets/brazils-emergence-top-competitor-rooted-currency-depreciation>.

<sup>40</sup> Reuters Staff (May 14, 2019) “Brazilian meatpacker JBS sees demand rising after hog virus outbreak in China.” *Reuters*. <https://de.reuters.com/article/us-jbs-outlook/brazilian-meatpacker-jbs-sees-demand-rising-after-hog-virus>.

[Note: One of the original research questions that inspired this work addressed the connection between increased production in Brazil, improved terms of trade with China, and decreased production in the US during the pandemic. Some have speculated that an additional incentive to shift production was weaker regulatory and labor power to challenge JBS in Brazil. The JBS pork plant in Dourados, Mato Grosso, Brazil reported over 1,000 COVID-19 cases in one sweep of testing over the summer, but only 20 employees were out sick. Are the JBS USA and JBS SA-Brazil stories interconnected? Were JBS employees in Brazil put in greater danger in any way because JBS employees in the US were better protected? Adelle Blackett’s (2001) theory of self-regulated firms adhering to local public perceptions suggests this could be happening.]

domestic production according to Azmanova’s precarity capitalism framework.

Figure 1: Characteristics of COVID-19 cases among meat and poultry processing workers<sup>41</sup>



The final criterion discussed in the precarity capitalism framework is a disenfranchised labor force unable to contest the state-firm alliance, which I argue is structured by racial capitalism. In the meatpacking industry, the makeup of workers is heavily skewed toward immigrants and people of color. Hispanic workers hold the plurality (44.4%), Black workers second (25.2%), followed by white (19.1%) and Asian workers (10.0%). Meatpacking workers are also three times more likely to be foreign-born (51.5%, up from 17.1% in the general workforce), and more than six times more likely to speak limited English (25.1%, up from 4.0%). As a result of these racialized hiring practices, and the disproportionate spread of COVID-19 among meatpacking workers and other “essential” workers in the first wave, we see a grossly disproportionate rate of COVID-19 among minority groups. The US Center for Disease Control (CDC) reported in May that, among cases of COVID-19 where race or ethnicity was reported, 56% of positive cases were among Hispanic workers, 19% Black, 13% white, and 12% Asian.<sup>42</sup>

These statistics suggest racialized outcomes: Hispanic and Asian workers are at particularly high risk of COVID-19 infection. Several explanations for the disparate have been offered, including housing arrangements based on cultural preference or economic necessity, transportation

<sup>41</sup> Waltenburg, Michelle A. et. al. (July 10, 2020) “Update: COVID-19 Among Workers in Meat and Poultry Processing Facilities — United States, April–May 2020” *Centers for Disease Control and Prevention (CDC)*.

<sup>42</sup> Dyal, Jonathan W. et. al. (May 8, 2020). “COVID-19 Among Workers in Meat and Poultry Processing Facilities— 19 States, April 2020” *Centers for Disease Control and Prevention (CDC)*.  
[https://www.cdc.gov/mmwr/volumes/69/wr/mm6918e3.htm?s\\_cid=mm6918e3\\_w](https://www.cdc.gov/mmwr/volumes/69/wr/mm6918e3.htm?s_cid=mm6918e3_w).

to and from work, and health disparities that may increase symptomatic cases.<sup>43</sup> However, with a focus on the timeline of COVID-19 policy and politics within the meat industry itself, two other explanations emerge: language barriers for these two groups at the worksite and a coercive workplace that exploits precarious immigrant labor.

The timeline of COVID-19 response at the JBS Greeley plant can be summarized in three distinct policy phases: the initial rise in cases and local action, the escalated response of JBS and federal policymakers, and a present-day return to “normal” despite the ongoing pandemic. These events offer insights into the real-world consequences of precarity capitalism.

*Phase 1: The local labor and public health response*

In late February, Greeley meatpackers began to observe that their co-workers were exhibiting symptoms of COVID-19. Workers reported alarming coughs and fevers but observed no action from JBS to test for the virus. On the contrary, workers were pressured to remain at their posts.<sup>44</sup> One plant worker described the Greeley plant as having a “work if you’re sick culture,” including supervisors who would say they work while sick and will punish workers who take “too much time off.”<sup>45</sup> During the months of March and April, the JBS Greeley Facebook page included posts instructing workers that stay-at-home orders did not apply to them and offering 5-pound tubes of beef to workers who stayed until the end of their shift.<sup>46</sup> The number of workers exhibiting symptoms expanded more rapidly in mid-March, during the period in which the first confirmed case of COVID-19 was found in Weld County.<sup>47</sup> The first confirmed case at the JBS Greeley plant was not found until March 26th.<sup>48</sup>

JBS Greeley’s official position is that the plant distributed masks and mandated preventive measures in accordance with CDC guidelines starting on March 19th.<sup>49</sup> Workers say the opposite was true, that no one wore masks or was socially distanced. The plant’s UFCW union chapter filed a grievance with local health officials on March 27th demanding that JBS provide PPE, demanding gloves, hand sanitizer, and masks for workers.<sup>50</sup> The County’s Office of Public Health and

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<sup>43</sup> Many stories ran in major publications on this theme, see: [NYT \(May\)](#); [NYT \(June\)](#); [Buzzfeed News \(April\)](#).

<sup>44</sup> Bradbury, Shelly (July 12, 2020) “How coronavirus spread through JBS’s Greeley beef plant.” *The Denver Post*. <https://www.denverpost.com/2020/07/12/jbs-greeley-coronavirus-investigation/>.

<sup>45</sup> Navarro, Natalie V. (April 17, 2020) “Weld County Warned JBS About Its ‘Work While Sick’ Culture A Week Before Shutting Them Down.” *CPR News*. <https://www.cpr.org/2020/04/17/weld-county-warned-jbs-about-its-work-while-sick-culture-a-week-before-shutting-them-down/>.

<sup>46</sup> Bradbury, July 2020

<sup>47</sup> *Ibid.*

<sup>48</sup> Navarro, April 2020

<sup>49</sup> Klemko, Robert and Kimberly Kindy (August 6, 2020) “He fled Congo to work in a U.S. meat plant. Then he — and hundreds of his co-workers — got the coronavirus.” *The Washington Post*. [https://www.washingtonpost.com/national/he-fled-the-congo-to-work-in-a-us-meat-plant-then-he--and-hundreds-of-his-co-workers--got-the-coronavirus/2020/08/06/11e7e13e-c526-11ea-8ffe-372be8d82298\\_story.html](https://www.washingtonpost.com/national/he-fled-the-congo-to-work-in-a-us-meat-plant-then-he--and-hundreds-of-his-co-workers--got-the-coronavirus/2020/08/06/11e7e13e-c526-11ea-8ffe-372be8d82298_story.html).

<sup>50</sup> Bradbury, July 2020

Environment responded on April 2nd with a letter to JBS threatening to shut the plant if protective measures were not put in place, including social distancing, prohibiting sick workers from working, screening every employee for symptoms, and allowing employees exposed to others with COVID-19 to self-isolate for 14 days.<sup>51</sup> JBS responded on April 10th with a candid request: “It is our understanding from the telephone conversation that [Colorado Governor Jared Polis] did not want this letter sent...Please confirm it was properly sent.” The Governor’s office issued a statement denying that the Governor asked local officials to keep the JBS plant open.<sup>52</sup>

JBS Greeley fully closed on April 15th and reopened on April 24th, after a “deep-cleaning” of the facility and installation of a new ventilation system in the workers’ cafeteria. JBS also reportedly increased the number of languages included on health and safety posters, previously posted only in English.<sup>53</sup> This marked the high point in JBS’ response in Greeley. By the end of April, six meatpacking workers, all people of color, and one white corporate employee at JBS Greeley were dead.<sup>54</sup> JBS USA also knew of at least three family members of Greeley workers who died from COVID-19.<sup>55</sup>

### *Phase 2: JBS and federal allies mobilize a response*

It was apparent by late March that JBS was engaged in corporate subterfuge through policies that denied the presence or significance of COVID-19 at the Greeley plant, and misrepresented their efforts to protect meatpacking workers. Attention from the local union and local government officials, backed officially by the Colorado Governor, instigated a temporary shutdown and a noticeable shift by JBS to provide some personal protective equipment, slow production and stagger working shifts, and screen employees for virus symptoms. However, even as JBS made local concessions in Greeley, efforts were accelerating at the national level to reinstate production.

President Donald Trump and Vice President Mike Pence both mentioned JBS and the meatpacking industry in comments from the White House Rose Garden on April 10th. Vice President Pence stated specifically that he was “in contact with Senator Cory Gardner about an outbreak at a particular meatpacking facility in the Colorado area.”<sup>56</sup> On April 11th, Colorado Director of Public Health Jill Hunsaker Ryan told county officials in a letter that she was contacted by CDC Director Robert Redfield on behalf of the Vice President. Hunsaker asked that local

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<sup>51</sup> Navarro, April 2020

<sup>52</sup> Bradbury, July 2020

<sup>53</sup> Klemko, August 2020. Over 30 languages are reportedly spoken inside the JBS Greeley plant.

<sup>54</sup> Bradbury, Shelly (May 18, 2020) “Eighth JBS Greeley worker dies amid coronavirus outbreak at meat plant.” *The Denver Post*. <https://www.denverpost.com/2020/05/18/jbs-greeley-coronavirus-covid-death/>.

<sup>55</sup> Klemko, August 2020

<sup>56</sup> Denver7--The Denver Channel (April 10, 2020) “Vice President Pence discusses outbreak at JBS meatpacking facility in Greeley.” *Youtube*. <https://www.youtube.com/watch?v=DSmnuNyiCow>.

officials allow JBS to operate under CDC critical infrastructure guidance, “sending asymptomatic people back to work even if we suspect exposure but they have no symptoms.”<sup>57</sup> The request was notable because meatpacking plants were not yet considered critical infrastructure under federal regulatory requirements. That action was taken two weeks later when President Trump invoked the Defense Production Act to classify the meatpacking industry as critical national infrastructure.<sup>58</sup>

By classifying JBS operations in Greeley as critical infrastructure, President Trump did not overrule local authority to close meatpacking plants or protect JBS from the liability complaints of workers. Rather, the executive order was a largely symbolic gesture of support for the industry as it faced headwinds to production from local authorities and workers.<sup>59</sup> Symbolic gestures became a theme in the final and current stage of the industry’s pandemic response.

Corporate promises made to shore up public support and worker cooperation were often broken or offered at the bare minimum to prevent public policymakers from further intervention. Temporary pay increases gave way to blanket rejection of worker’s compensation claims. Federal regulators tasked with holding JBS accountable to workers offered only weak recourse. Rather than the often evoked “new normal” the pandemic unleashed, meatpacking workers found themselves in the old normal.

### *Phase 3: A return to normal*

In the implementation of safety protocols at the Greeley plant, protective measures were over-promised and under-delivered. The company was ordered to test all employees upon reopening in April, and Vice President Pence promised federal COVID-19 tests and PPE for the facility. That equipment was never delivered.<sup>60</sup> JBS reportedly scuttled its plans to test all workers after preliminary testing of 200 managers indicated that about half had the virus.<sup>61</sup> In June, the CDC conducted a surprise inspection and concluded that “most of the recommended practices” were being followed.<sup>62</sup> Workers disagreed.

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<sup>57</sup> Bradbury, July 2020

<sup>58</sup> Office of the President of the United States Donald J. Trump (April 28, 2020) “Executive Order on Delegating Authority Under the DPA with Respect to Food Supply Chain Resources During the National Emergency Caused by the Outbreak of COVID-19.” <https://www.whitehouse.gov/presidential-actions/executive-order-delegating-authority-dpa-respect-food-supply-chain-resources-national-emergency-caused-outbreak-covid-19/>. [Note: An anonymous source told the Washington Post that state officials complied with the federal request, weeks before the Defense Production Act was invoked, “out of fear that the state would be cut off from aid it needed from CDC to manage the pandemic.” (see: Kindy, September 2020)]

<sup>59</sup> Gremillion, Thomas (May 25, 2020) “What does the Defense Production Act have to do with food?” *Food Safety News*. <https://www.foodsafetynews.com/2020/05/what-does-the-defense-production-act-have-to-do-with-food/>.

<sup>60</sup> Office of United States Senator for Colorado Michael Bennet (May 13: 2020) “Bennet Presses Pence For Update on PPE, Tests to Protect JBS Workers in Greeley During COVID-19 Pandemic.” Press Release. <https://www.bennet.senate.gov/public/index.cfm/2020/5/bennet-presses-pence-for-update-on-ppe-tests-to-protect-jbs-workers-in-greeley-during-covid-19-pandemic>.

<sup>61</sup> Klemko, August 2020

<sup>62</sup> Bradbury, July 2020



Line workers walked out of the JBS plant on June 12th in protest of unfair wages and a continued failure to enforce safety protocols.<sup>63</sup> An undercover investigation by local reporters captured video that contradicted JBS and CDC inspectors, along with devastating testimony from meatpacking workers.<sup>64</sup> In October, two whistleblower employees, tasked with screening workers for symptoms over the summer months, signed affidavits testifying that screening equipment often did not work correctly and symptomatic employees were routinely cleared to continue working.<sup>65</sup> Meanwhile JBS was pressuring local officials to clear the plant's "hotspot" designation in Colorado's COVID-19 tracking database, citing only two positive cases in an eight week period in which the county saw over 1,200.<sup>66</sup>

The employee walkout in June was a "wildcat" strike signaling a rejection of the negotiations between JBS USA and the national UFCW union that provided workers with modest, temporary wage increases. The Greeley plant's labor leaders insisted on local negotiations, arguing that pay raises failed to adequately compensate workers for increasing medical care or guarantee worker's compensation benefits.<sup>67</sup> JBS argued that one-time bonuses and temporary wage increases, in addition to the expenses on safety protocols, were adequately fair on their part. However, as the pandemic continues it becomes increasingly clear that workers' complaints were justified. Temporary wage increases beginning in July were expired by mid-August.

Perhaps the most egregious example of JBS subterfuge is the refusal to honor worker's compensation claims based on a lack of evidence that workers contracted COVID-19 at meatpacking facilities. JBS lobbied against a Colorado legislative proposal to shift the burden of proof to corporations and assume that workers are exposed to the virus at job sites. A Colorado Senate bill that would have brought "essential and frontline workers" under a legal presumption of exposure at work was tabled in committee in June under pressure from the Colorado Chamber of

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<sup>63</sup> Meade, Cuyler (October 6, 2020) "Whistleblowers: JBS' COVID-19 screening process encouraged employees to work while sick, discouraged accurate screening." *Greeley Tribune*. <https://www.greeleytribune.com/2020/10/06/whistleblowers-jbs-covid-19-screening-process-encouraged-employees-to-work-while-sick-discouraged-accurate-screening/>.

<sup>64</sup> Denver7--The Denver Channel (June 30, 2020) "Governor 'shocked' after Denver7 Investigation uncovers more problems at Greeley slaughterhouse." *Youtube*. <https://www.youtube.com/watch?v=9qCvviH2K8>.

<sup>65</sup> Meade, October 2020. [Note: The whistleblowers testified that they would clear workers with coughs if the worker testified they "had slept with the window open," or if they knew the worker could not afford a COVID-19 test.]

<sup>66</sup> Associated Press (October 8, 2020) "JBS meatpacking plant in Greeley accused of negligence after COVID-19 outbreak." *The Colorado Sun*. <https://coloradosun.com/2020/10/08/jbs-meatpacking-plant-coronavirus-negligence/>.

<sup>67</sup> Meade, Cuyler (July 10, 2020) "JBS employees walk off the job over a pay dispute." *Greeley Tribune*. <https://www.greeleytribune.com/2020/07/10/jbs-employees-walk-off-the-job-over-pay-dispute/>. [Note: JBS Greeley labor leaders were rejecting a \$600 bonus, a year-end \$1500 bonus, and a six-week \$4 wage increase. The labor spokesperson said that the company "refuses to discuss necessary safety improvements nor engage in any discussions concerning rising health care costs in these negotiations...These issues are not side-line issues. More workers have died at the JBS Greeley plant than any other meatpacking plant in the US."]

Commerce, of which JBS is a member.<sup>68</sup> JBS USA then outsourced the processing of claims to a third-party administrator which has reportedly failed to accept any claim nationwide thus far, on the ground of a lack of evidence that the employees were exposed at work.<sup>69</sup>

At the same time, it lobbied against the change to worker's compensation, JBS promoted an aura of corporate altruism. In May, JBS SA committed \$120 million to the communities of employees affected by the pandemic.<sup>70</sup> Presumably as a fraction of that sum, JBS USA committed \$250,000 to relief efforts in Greeley.<sup>71</sup> The company also offered to pay a full annual salary to the families of deceased employees with publicized donations to communities affected by the pandemic. However, like the \$1 million committed to testing all Greeley employees for COVID-19, journalists have not found evidence that the money was spent.<sup>72</sup>

In September, the Occupational Safety and Health Administration (OSHA) announced the first two fines for the meat industry, citing Smithfield operations in Sioux Falls, South Dakota, and JBS USA in Greeley for failing to implement “timely and effective measures to mitigate exposures” to COVID-19. The two multi-billion-dollar transnational corporations, one based in China and the other in Brazil, were fined a combined \$29,000 total.<sup>73</sup> Over protests from the local union, OSHA defended JBS Greeley's \$15,615 fine as the maximum allowable by the US Department of Labor. Meanwhile, JBS responded by asserting the company's “preventative measures largely exceeded any of [OSHA's] recommendations.”<sup>74</sup>

### *Contextualizing the JBS Greeley Timeline*

In the context of quasi-monopoly control of the meat industry, alliance with public authorities, and profit-driven motives, what more can be said to contextualize the JBS Greeley timeline as the predictable outcome of precarity capitalism? Four phenomena can be drawn out of

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<sup>68</sup> US Chamber of Commerce (June 6, 2020) “Letter to CO Legislature re: SB216, the ‘Workers’ Compensation Act of Colorado.” Press release. <https://www.uschamber.com/comment/letter-co-legislature-re-sb216-the-workers-compensation-act-of-colorado>.

<sup>69</sup> Hals, Tom and Tom Plansek (September 29, 2020) “Meatpackers deny workers benefits for COVID-19 deaths, illnesses.” *Reuters*. <https://www.reuters.com/article/health-coronavirus-jbs-colorado-insight/meatpackers-deny-workers-benefits-for-covid-19-deaths-illnesses-idUSKBN26K29Y>.

<sup>70</sup> Mano, Ana (May 11, 2020) “As coronavirus infects meat plant workers, Brazil's JBS donates \$120 mln.” *Reuters*. <https://www.reuters.com/article/health-coronavirus-jbs/as-coronavirus-infects-meat-plant-workers-brazils-jbs-donates-120-mln-idUSL1N2CT2B0>.

<sup>71</sup> Bradbury, Shelly (April 13, 2020) “Coronavirus outbreak at Greeley plant forces two-week closure, burdens local health facilities.” *The Denver Post*. <https://www.denverpost.com/2020/04/13/coronavirus-jbs-greeley-plant-closure/>.

<sup>72</sup> Kovaleski, Tony (April 22, 2020) “‘This could potentially be a death sentence’: JBS union president responds to plans to reopen plant.” *Denver7--The Denver Channel*. <https://www.thedenverchannel.com/news/investigations/this-could-potentially-be-a-death-sentence-jbs-union-president-responds-to-plans-to-reopen-plant>.

<sup>73</sup> Kindy, Kimberly (September 13, 2020) “More than 200 meat plant workers in the U.S. have died of covid-19. Federal regulators just issued two modest fines.” *The Washington Post*. [https://www.washingtonpost.com/national/osha-covid-meat-plant-fines/2020/09/13/1dca3e14-f395-11ea-bc45-e5d48ab44b9f\\_story.html](https://www.washingtonpost.com/national/osha-covid-meat-plant-fines/2020/09/13/1dca3e14-f395-11ea-bc45-e5d48ab44b9f_story.html).

<sup>74</sup> Sebastian, Matt (September 11, 2020) “Feds hit JBS with \$15,000 fine for failing to protect Greeley plant workers from COVID-19.” *The Denver Post*. <https://www.denverpost.com/2020/09/11/osha-fines-jbs-greeley/>.



the example above: (1) the efficacy of the local labor union; (2) the firm's impact on regulatory authority; (3) the racialization of JBS workers; and (4) the ability of the firm to capture additional production value during the crisis.

Despite JBS' economic leverage in the Greeley area, both as an employer and cattle customer, local leaders were responsive to the complaints of the local labor union and levied strict demands on JBS Greeley. Labor was a successful countervailing force that shut the plant down, albeit temporarily. This is perhaps an example of the difference between a diversified local economy, in which local firms and labor organizations are on relatively equal footing from the perspective of public authorities, and a national economy composed of quasi-monopolistic sectoral hegemonies. It may be more difficult to move social harms out of the public discourse at the local level, where the impact of COVID-19 spread can be seen and personalized. State-firm alliances may also grow stronger at higher levels of government, due to the increasing importance of rich donors in electoral politics. In *Global Inequality*, Milanović references studies showing that US Senators and Members of Congress are more responsive to the needs of wealthy donors than their median-income constituents.<sup>75</sup> It was only after JBS flexed its alliances with the Colorado State Legislature, Senator Cory Gardner, and the White House that momentum was reversed in their favor. The JBS Greeley labor union has not had a victory since.

Before local regulatory authority was enforced, and after the self-regulatory status quo was reinstated for JBS, the company repeatedly utilized the playbook outlined by Adelle Blackett in 2001. In March, the firm failed to take action to protect workers in the absence of public authority. When JBS did need a COVID-19 response strategy, it oriented the response towards public, consumer perception rather than the asserted needs of workers. They did so by advertising large community donations and sweeping COVID-19 testing programs, neither of which were verifiably carried out. On the contrary, workers reported that the testing program was never implemented. These efforts, along with pledges to pay full annual salaries to deceased workers and strong language warning about economic costs to the firm, may have been examples of strategies used by members of the Colorado Chamber of Commerce to block worker's compensation legislation that would have shifted liability for COVID-19 infections to the firm. When JBS did face pushback from national organizations, the national labor union, and OSHA, the firm was successful in negotiating concessions that fell far short of the demands of local workers. Negotiations with UFCW provided only temporary wage increases and bonuses. OSHA's \$15,615 fine penalizing JBS Greeley was even less impressive, and still, JBS rejected the regulatory agency's decision and pledged to litigate.

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<sup>75</sup> Milanović, 189

Racial capitalism is also on display in the JBS Greeley case study. All seven JBS Greeley meatpacking workers who died were people of color.<sup>76</sup> The coercive, work-sick culture that workers reported in Greeley is connected to the demographics of the workforce. The Greeley plant was one of six Swift plants raided by Immigration and Customs Enforcement (ICE) in December 2006. ICE reportedly arrested 1,297 undocumented workers across the six plants, 273 from the Greeley plant.<sup>77</sup> Based on the share of workers arrested, and those who did not show up for the following shift, the Center for Immigration Studies estimated that 1 in 4 Greeley workers were undocumented at the time. After JBS acquired the plant in 2007, the company began participating in ICE's workers' verification program.<sup>78</sup> JBS still hires undocumented workers, but now there is a system to flag and remove those workers at the discretion of the firm. There were still reportedly 1-2 immigration incidents at the Greeley plant per month in 2016.<sup>79</sup> Publicized ICE raids in other parts of the country in 2016 reminded local labor activists that ICE is a common tool used by the corporate-political alliance to suppress labor power.<sup>80</sup>

The US Government Accountability Office (GAO) reported in 2016 that the meatpacking industry is shifting from Latinx immigrant workers to other racialized groups of refugees.<sup>81</sup> As an example, at JBS Greeley at least 100 Somalian refugees were hired in 2007.<sup>82</sup> In 2013, 15% of plant workers were estimated to be refugees and the employee's handbook was being distributed in English, Spanish, Burmese, and Somali.<sup>83</sup> Refugees workers report that JBS is one of the easiest places to find work for non-English speakers.<sup>84</sup> However, this dependence on work at the JBS plant has ulterior consequences. Local union leader Kim Cordova says of the workers, that "Many of them don't speak English and can't read or write in English and feel that they have no other place to go (...) So they just feel compelled to stay in these really dangerous jobs because they don't have a choice." Greeley workers reported in March that safety information was only available in

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<sup>76</sup> Bradbury, Shelly (May 18, 2020) "Eighth JBS Greeley worker dies amid coronavirus outbreak at the meat plant." *The Denver Post*. <https://www.denverpost.com/2020/05/18/jbs-greeley-coronavirus-covid-death/>.

<sup>77</sup> Lofholm, Nancy (January 14, 2013) "Fear from Swift plant raid resonates in Greeley six years later." *The Denver Post*. <https://www.denverpost.com/2013/01/14/fear-from-swift-plant-raid-resonates-in-greeley-six-years-later/>.

<sup>78</sup> *Greeley Tribune* (October 9, 2012) "JBS and ICE reach agreement on the legal workforce." <https://www.greeleytribune.com/2012/10/09/jbs-and-ice-reach-agreement-on-legal-workforce/>.

<sup>79</sup> Dunn, Sharon (December 10, 2016) "Immigration back in the national spotlight on eve of 10-year anniversary of Greeley ICE raids." *Greeley Tribune*. <https://www.greeleytribune.com/2016/12/10/immigration-back-in-the-national-spotlight-on-eve-of-10-year-anniversary-of-greeley-ice-raids/>.

<sup>80</sup> *Ibid.*

<sup>81</sup> *US Government Accountability Office* (April 2016) "Workplace Safety and Health: Additional Data Needed to Address Continued Hazards in the Meat and Poultry Industry." (Publication Number GAO-16-337). <https://www.gao.gov/products/GAO-16-337>.

<sup>82</sup> Associated Press (August 31, 2010) "Suits: Muslims harassed at JBS meatpacking plants." *The Denver Post*. <https://www.denverpost.com/2010/08/31/suits-muslims-harassed-at-jbs-meatpacking-plants/>.

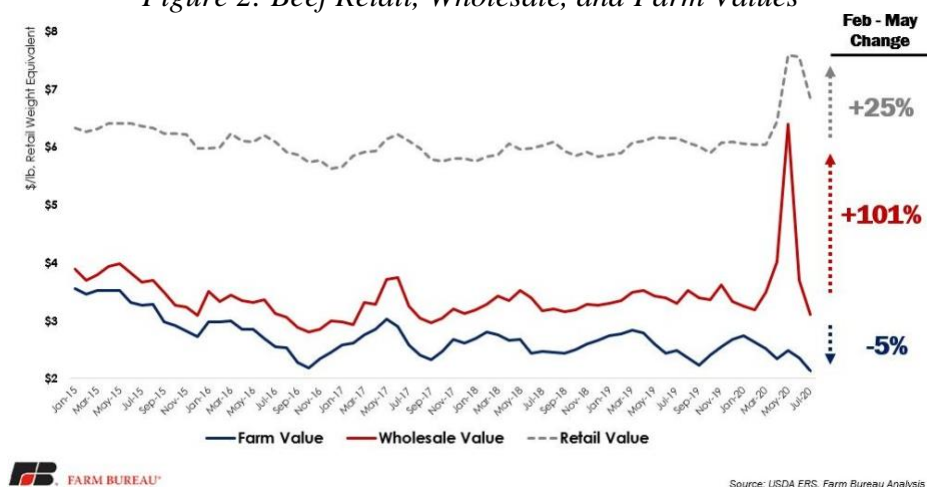
<sup>83</sup> Murray, Sara (August 21, 2013) "On the Killing Floor, Clues to the Impact Of Immigration on Jobs." *The Wall Street Journal*. <https://www.wsj.com/articles/SB10001424127887324251504578580041922193264>.

<sup>84</sup> *KUNC* (February 5, 2019) "With Fewer Refugees, Who Will Work At Greeley's Meatpacking Plant?" <https://www.kunc.org/news/2019-02-05/with-fewer-refugees-who-will-work-at-greeleys-meatpacking-plant>.

English despite there being 30 languages spoken in the plant. Workers who asked for translations of health information were denied, reportedly told “If we do it for one, we have to do it for all of the languages.”<sup>85</sup> The influx of refugee labor may also be undermining labor solidarity within the plant. Nearly all of the Somali workers hired by JBS Greeley in 2007 were fired in 2008 in a dispute over religious practices during Ramadan, while Somali JBS workers in Nebraska reported harassment from both workers and supervisors.<sup>86</sup> The *New York Times* reported a pattern of suspicion of Somali Muslim workers among the white, Latino, and Sudanese workforce.<sup>87</sup>

Finally, a review of JBS USA financial statements and market prices during the COVID-19 pandemic reveal that meat processing firms were able to capture more value in the supply chain during the crisis than ever before. Despite a slowdown in production over the spring and summer, JBS USA posted only a 1% decrease in net revenue in the second quarter of 2020, compared to the prior year.<sup>88</sup> Net revenues remained remarkably stable due to a farm-to-retail spread in the price of beef that favored the intermediaries of the supply chain. Grocery stores were struggling to source wholesale beef for consumers, though national reserves of frozen beef were at an all-time high. With a bottleneck in the supply chain between grocers and processors like JBS, production slowed at meatpacking plants while prices spiked. Cattle ranchers were having the opposite problem: a drop in production at JBS meant lower demand for cattle, even as cattle came of age for slaughter, filled cattle lots, and continued to cost ranchers. From February to May 2020, the wholesale price of beef to grocers jumped 101% and the retail price to consumers by 25%. Meanwhile, the price seen by ranchers for a finished head of cattle dropped by 5%.<sup>89</sup>

Figure 2: Beef Retail, Wholesale, and Farm Values



<sup>85</sup> Klemko, August 2020

<sup>86</sup> Associated Press, August 2010

<sup>87</sup> Semple, Kirk (October 15, 2008) “A Somali Influx Unsettles Latino Meatpackers.” *The New York Times*. <https://www.nytimes.com/2008/10/16/us/16immig.html>.

<sup>88</sup> Crews, November 2020

<sup>89</sup> Nepveux, Michael (September 4, 2020) “Pandemic Results in Record Farm-to-Retail Price Spreads in Beef and Pork.” *American Farm Bureau Federation (Farm Bureau)*. <https://www.fb.org/market-intel/pandemic-results-in-record-farm-to-retail-price-spreads-in-beef-and-pork>.

## Policy Proposals

The precarity capitalism framework is useful because it emphasizes how the present economic system works in the interest of transnational corporations to the detriment not only workers, but also other owners of capital (ranchers and grocers) and consumers in the supply chain. The COVID-19 pandemic may be a rare event, but it is not the only kind of crisis that could cause a breakdown in supply chains or put food industry workers at risk. As political economist Jennifer Clapp wrote this year:

“A host of other threats to food systems are waiting in the wings: the climate crisis, extreme weather events, conflict, economic nationalism and rising trade protectionism, and the collapse of multilateralism all come to mind.”<sup>90</sup>

In the face of these impending crises, I am looking to stakeholders in the food supply chain--workers, farmers, ranchers--for both their current actions and their recommendations on how to dismantle the core tenets of precarity capitalism. Broadly, their goals are to reinsert social costs into the public discourse, to re-evaluate the distribution of the profits of production, and to create more resilient supply chains to withstand crises.

Short-term policy changes can promote just outcomes during the COVID-19 pandemic, but the inability to realize these outcomes indicates that systemic issues are preventing other actors, primarily workers, from achieving meaningful change. Examples of these attempts at change include the Greeley UFCW wildcat strike, calling for improved wages, attempts by federal regulators to enforce or punish meatpacking firms for failing to follow CDC COVID-19 guidelines, and failed advocacy efforts to pass worker’s compensation reform in all but a few US States. However, not all attempts to challenge this system have failed. Two broad areas of systemic policy change show some potential of achieving stakeholders goals: (1) greater mobilization of labor to counteract capital accumulation, and (2) efforts to undermine quasi-monopolistic control of the meat processing industry.

### *Mobilizing Labor*

One response to the increasingly disproportionate leverage held by capital-intensive TNCs, specifically in negotiation with their workers, is to scale up the labor organizing effort and to find louder and more effective advocacy tools. Here, the labor movement is innovating. Massive cross-sector alliances of worker coalitions have been formed to counterbalance TNCs. In one example, the Food Chain Workers Alliance (FCWA), Rural Community Workers Alliance, HEAL Food Alliance, and others have joined forces to submit a complaint to the USDA under Title VI of the

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<sup>90</sup> Clapp, Jennifer, & William G. Moseley. “This food crisis is different: COVID-19 and the fragility of the neoliberal food security order.” *The Journal of Peasant Studies* (2020). Pp. 16, <https://doi.org/10.1080/03066150.2020.1823838>.

Civil Rights Act of 1964, alleging that Tyson Foods, Keystone Foods, Pilgrim's Pride, and JBS USA discriminated against workers of color by failing to implement CDC safety guidelines, in a way that disproportionately harmed marginalized communities.<sup>91</sup> The FCWA complaint is noteworthy both for the scale of labor cooperation it represents, and the method used to push back against self-regulatory codes of conduct. By connecting the decisions of JBS and others, to continue producing without implementing recommended guidelines, to the racialized impact on workers, FCWA is testing the regulatory authority of the Civil Rights Act. This complaint also opens a new attack against the meatpacking industry's strategy of hiring racialized workers for their vulnerability.

Jennifer Bair wrote in 2014 of the efforts of scholars to "reverse-engineer" commodity chains to reveal the conditions under which labor is carried out.<sup>92</sup> Here also, labor is innovating. The labor movement is using increasingly sophisticated social media techniques to bring the social costs of production back into the political discourse. A recent example of this effort is the United Farm Workers "#ThankAFarmworker" Twitter campaign.<sup>93</sup> During the week of Thanksgiving (November 22-28, 2020), the UFW Twitter account asked followers to tweet their favorite Thanksgiving dishes, then responded to dozens of tweets with videos of the farmworkers who plant, harvest, and process the ingredients. Many of the tweets received tens of thousands of "likes" and were viewed hundreds of thousands of times on the site.

The scaling up of labor activism and advocacy is an incomplete approach with which scholars have expressed some concern. Adelle Blackett warns that publicized efforts "tend to be highly selective, focusing on issues that are at the forefront of Western consumers' concern (...) facilitating media sensationalization of the "plight" of workers in developing countries without promoting a deeper understanding of the material conditions in those particular places."<sup>94</sup> Speaking to those underlying conditions, food systems scholars Susanna Klassen and Sophia Murphy point out that food workers "are on the front lines because they cannot afford not to work, despite unsafe working conditions."<sup>95</sup> Structural changes that improve the bargaining power of workers could be broader social programs that lessen the pressure on people to work during crises. However, here again, Klassen & Murphy point out that the most exploited groups are unlikely to fall under these

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<sup>91</sup> Food Chain Workers Alliance (July 14, 2020) "FCWA Joins Civil Rights Complaint Challenging Meat Processing Corporations." Press Release. <https://foodchainworkers.org/2020/07/fcwa-joins-civil-rights-complaint-challenging-meat-processing-corporations/>.

<sup>92</sup> Bair, 7

<sup>93</sup> DiBenedetto, Chase (November 23, 2020) "A reminder to #ThankAFarmworker for harvesting your Thanksgiving." *Mashable*. <https://mashable.com/article/where-do-thanksgiving-foods-come-from-united-farm-workers/>.

<sup>94</sup> Blackett, 430

<sup>95</sup> Klassen, Susanna, and Sophia Murphy. "Equity as both a means and an end: Lessons for resilient food systems from COVID-19." *World Development* 136 (2020): 105104. <https://doi.org/10.1016/j.worlddev.2020.105104>. Pp. 2

programs: “Disturbing many food systems around the world have grown dependent on migrant workers’ disenfranchised status and willingness to risk their lives.”<sup>96</sup>

Addressing this problem may require greater structural change than what can be brought about by labor organizers. Adelle Blackett envisioned and still advocates for an international codification of labor standards through tripartite (government, workers, and employers) organizations like the International Labor Organization.<sup>97</sup>

### *Dismantling Monopolies*

Perhaps the most robust, or radical, proposals to dismantle precarity capitalism consist of decentralizing the supply chain. A decentralized system, or one without reliance on monopolistic intermediary firms, has the potential to ameliorate several problems at once: the supply chain bottleneck during crises, the unequal distribution of profit among supply chain actors leveraged by size and strategic placement on the supply chain, the physical conditions for workers laboring in meat processing plants, and finally the political power of monopolist firms. Calls to break up the meat industry, dominated by only a handful of TNCs, should be expected after it was revealed that industry leaders were the only ones breaking even during the pandemic. However, those advocates are not easy to find. Less radical conversations about the promise of alternatives to meat are emerging,<sup>98</sup> as are calls to investigate price-fixing during the pandemic.<sup>99</sup> Breaking up the biggest meat industry leaders is simply not present.

One alternative to breaking up the supply chain is to deregulate meat processing in a way that allows farmers and ranchers to decentralize the slaughter and processing of meat. Mobile slaughterhouses that can be shared by a cooperative of ranchers are increasing in popularity. While decentralizing production reverses the market efficiencies created by economies of scale, ranchers are balancing those losses against the leverage held by major corporations like JBS during a crisis.<sup>100</sup> A bill in the US Congress known as the PRIME Act would build more flexibility into the certification of small slaughterhouses.<sup>101</sup> Decentralizing the commodity chain could place less pressure on meatpacking workers at large facilities to work through the pandemic and create facility spaces where fewer workers can work more safely. These benefits are balanced against the

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<sup>96</sup> Klassen & Murphy, 3

<sup>97</sup> Blackett, 434 [Note: See Blackett 2019 for a reading of her continued advocacy through the International Labour Organization]

<sup>98</sup> Specht, Liz and Jan Dutkiewicz (May 20, 2020) “Let’s Rebuild the Broken Meat Industry—Without Animals.” *Wired*. <https://www.wired.com/story/opinion-lets-rebuild-the-broken-meat-industry-without-animals/>.

<sup>99</sup> Nylen, Leah and Liz Crampton (May 25, 2020) “‘Something isn’t right’: U.S. probes soaring beef prices.” *Politico*. <https://www.politico.com/news/2020/05/25/meatpackers-prices-coronavirus-antitrust-275093>.

<sup>100</sup> Miller, Stephen (June 3, 2020) “Amid Covid-19 bottleneck in the meat industry, PRIME Act gains support.” *The Food & Environmental Reporting Network*. [https://thefern.org/ag\\_insider/amid-covid-19-bottleneck-in-meat-industry-prime-act-gains-support/](https://thefern.org/ag_insider/amid-covid-19-bottleneck-in-meat-industry-prime-act-gains-support/).

<sup>101</sup> H.R.2859 - PRIME Act. 116th Congress (2019-2020). *Congress.gov*. <https://www.congress.gov/bill/116th-congress/house-bill/2859>.

prospect of higher meat costs to consumers, to which advocates say “it all depends on what the end consumer wants at the end of the day.”<sup>102</sup>

## **Conclusion**

Advocating for policy changes that may dismantle precarity capitalism carries with it a critical assumption: that this capitalist framework is a historical phase of globalization and not the inalterable model of 21<sup>st</sup>-century capitalism. There are legitimate doubts about the strength of this assumption, returning to world-system analysis. One challenge for public authorities, tasked with structural policy change, will be to impose corrective policies in the meat processing sector without incentivizing capital flight and a reordering of the global value chain around a new sectoral hegemony. As Adelle Blackett states:

“It is important to add that capital flight has in some cases been the response to labor advocacy applying codes of conduct to particular places. It is, therefore, crucial to avoid the tendency to romanticize the disruptive power of civil society by failing to grapple with the power of [TNCs].”<sup>103</sup>

The Brazil-Chinese trade relationship offers a glimpse at a productive future without American hegemony. A shift in the global value chain could mean decreased overall demand for US cattle, increased costs to consumers, and reduced full employment opportunities in the US. However, this paper has sought to elucidate how the benefits of sectoral hegemony are not real for almost all actors in the global value chain. The costs are public, and personal to workers, while the economic value is captured by TNCs.

Returning to the JBS Greeley case study, one wonders how the outcome for workers may have changed under different circumstances, or whether workers will ever feel justly compensated for the loss of loved ones, their own sickness, and the risks they continue to take. I wonder also when the next crisis will bring these workers to our attention again.

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<sup>102</sup> Miller, June 2020

<sup>103</sup> Blackett, 430



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