

Pennsylvania Senate Democratic Policy Committee Hearing: Workplace Safety

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Good morning, members of the Senate Democratic Policy Committee,

Thank you for the opportunity to speak today on this important topic. My name is Brittney Rodas. I am the Legal Director for the United Food and Commercial Workers Local 1776 KS. Our union represents over 30,000 members across the Commonwealth. Our membership is a diverse group of workers from industries such as meat packing and food processing, cannabis, grocery store workers, state liquor store workers, and more.

While our membership is diverse in the type of work they do, they share the common concern about workplace safety. Each membership group faces its own unique challenges when it comes to workplace safety. Our retail clerks and wine specialists and the Pennsylvania Fine Wine and Good Spirit Stores are public sector workers and continue to work without the protections of federal OSHA. Our cannabis members continue to face uncertainty as to whether safety violations of OSHA will be enforced, and our grocery store workers face concerns over workplace violence and theft. The need to improve workplace safety is an issue that affects every single workplace across the Commonwealth.

Although every single industry in Pennsylvania would benefit from improved workplace safety policies, I am here today to discuss one of the most important, and dangerous industries our local represents: meatpacking and food processing. There are over 2,300 meatpacking and food processing facilities in Pennsylvania. According to the Pennsylvania Department of Economic Development, the food manufacturing industry represents \$38.5 billion in exports, and employs over 140,000 workers. The industry also represents 61,400 reported non-fatal injuries in Pennsylvania.

SB 406, sponsored by Senator Tartaglione, and Senator Schwank is a vital piece of legislation that directly addresses workplace safety in Pennsylvania's meatpacking and food processing industries. This bill is not just a necessary step, it is an overdue response to longstanding and well-documented risks faced by thousands of essential workers in our Commonwealth. During the 2023-2024 session, the House advanced HB 2235, a modified version of SB 406. HB 2235, discussed below, removed provisions with paid leave, and pandemic protections. The removal of these provisions was part of a compromise to advance the bill through the House with bi-partisan support, with hopes of moving in the Senate.

A High-Risk Industry with Urgent Needs

Meatpacking is one of the most hazardous industries in the United States. According to the U.S. Bureau of Labor Statistics, workers in meatpacking facilities experience injury and illness rates nearly double the national average at 6.2 cases per 100 full time workers compared to 3.1 in other private industries. Across the country, these workers endure repetitive motion injuries,

amputations, chemical exposures, and falls on a daily basis. Many of these injuries go unreported for reasons addressed below.

In Pennsylvania, our injury rates mirror these national trends. And behind these numbers are real people, many of them immigrants, people of color, and individuals for whom English is not their first language. These workers perform physically demanding labor in fast-paced environments to serve our communities. These essential workers are relying on us to improve their working conditions, the same we rely on them to provide food for our families every day.

A recent study by the National Institute of Health found that in addition to increased risk of injury, workers trust in the occupational health office, and health culture in the workplace were rated low by workers. Workers in that study indicated that company interests were often prioritized over health. To improve conditions in meatpacking and food processing facilities, the National Institute of Health recommended improving communication, prioritizing worker well-being, and promoting a stronger health culture.

One of the most serious barriers to improving safety in this sector is communication. Studies by NIOSH show that limited English proficiency increases the risk of workplace injury by up to 40%. Yet OSHA does not require training or safety materials to be delivered in a worker's native language¹ As a result, many workers don't understand the hazards they face or how to protect themselves.

Equally troubling is the climate of fear in these facilities. Surveys indicate that up to 60% of meatpacking workers are afraid to report unsafe conditions due to the threat of retaliation. This silence prevents hazards from being addressed and contributes to an ongoing cycle of injury.

HB 2235: A Smart, Targeted, and Balanced Solution

HB 2235, sponsored by Representative Jim Haddock in the previous session, took a focused approach to these issues by:

- Requiring workplace safety committees in facilities with 100 or more
- Mandating that training and safety materials be provided in the primary languages spoken by workers, so everyone understands their rights and how to stay safe.
- Allow workers to request additional training within 30 days of hire without discipline
- Create an industry coordinator to help facilitate the implementation and enforcement of the bill
- Providing a 5% workers compensation discount for compliance

This bill is not over-regulation. The provisions of HB 2235 are common sense, narrowly applied measures that fill critical gaps left by federal OSHA. And they are fully legal. OSHA sets minimum standards but explicitly allows states to implement additional protections, especially

¹ Most OSHA standards require employers to train employees so they can perform their jobs safely, but they don't always specify that this training must be in a language the employee understands. Instead, OSHA has interpreted the requirement to mean that training must be effective, which includes using a language or vocabulary the worker understands. Interpretation and guidance from OSHA are not enforceable by law.

where federal regulations fall short. This bill strikes a balance between the need for increased safety and overburdening employers. In fact, HB 2235 would provide significant cost savings for employers.

HB 2235 passed the Pennsylvania House of Representatives last session with 120 bi-partisan votes in favor of the bill. The bill was referred to Senate Labor Committee and did not receive further consideration. The bill has not yet been reintroduced in the House.

Safety That Pays for Itself

Beyond protecting workers, HB 2235 makes strong economic sense for employers:

- Companies that implement certified safety committees are eligible for a 5% discount on their workers' compensation insurance premiums.
- According to research by the U.S. Department of Labor, workplaces with safety committees experience 20–40% fewer injuries, reducing lost time, OSHA citations, and turnover.
- Studies show that for every dollar invested in workplace safety, employers see a \$4 return in improved productivity, morale, and retention.

By empowering workers to raise concerns and contribute to safety solutions, employers also benefit from more engaged and loyal employees, which is critical in an industry struggling with labor shortages and high turnover.

Federal OSHA Alone Is Not Enough

Some have raised concerns that HB 2235 might be preempted by federal OSHA regulations. Let me be clear: it is not. OSHA's standards are minimum requirements, and the law explicitly allows states to go further. HB 2235 does not conflict with OSHA. It complements it by addressing gaps in areas like language access and worker participation, which federal standards do not adequately cover.

Courts have consistently upheld state laws that provide additional safety measures, if they don't contradict federal law, and HB 2235 has been carefully designed to meet that test.

Pennsylvania is not alone in seeking stronger safety protections in high-risk industries. States like California and Washington have seen significant reductions in injuries by requiring:

- Safety committees in large workplaces
- Training provided in languages workers understand
- Worker involvement in hazard identification

These policies work, and HB 2235 brings that proven framework to Pennsylvania's meatpacking sector. HB 2235 is a practical, effective, and balanced bill. It protects workers by ensuring they can understand the risks they face and feel safe reporting concerns. It supports employers with

tools to improve safety, reduce costs, and comply with best practices. And it positions Pennsylvania as a leader in worker protection while strengthening one of its most vital industries.

UFCW Local 1776 is proud to support legislation that improves workplace safety for all industries across the Commonwealth. We hope to continue to work with all four caucuses, and the Shapiro administration to pass HB2235, and other legislation that prioritizes our members. Thank you for your time and commitment to this issue.